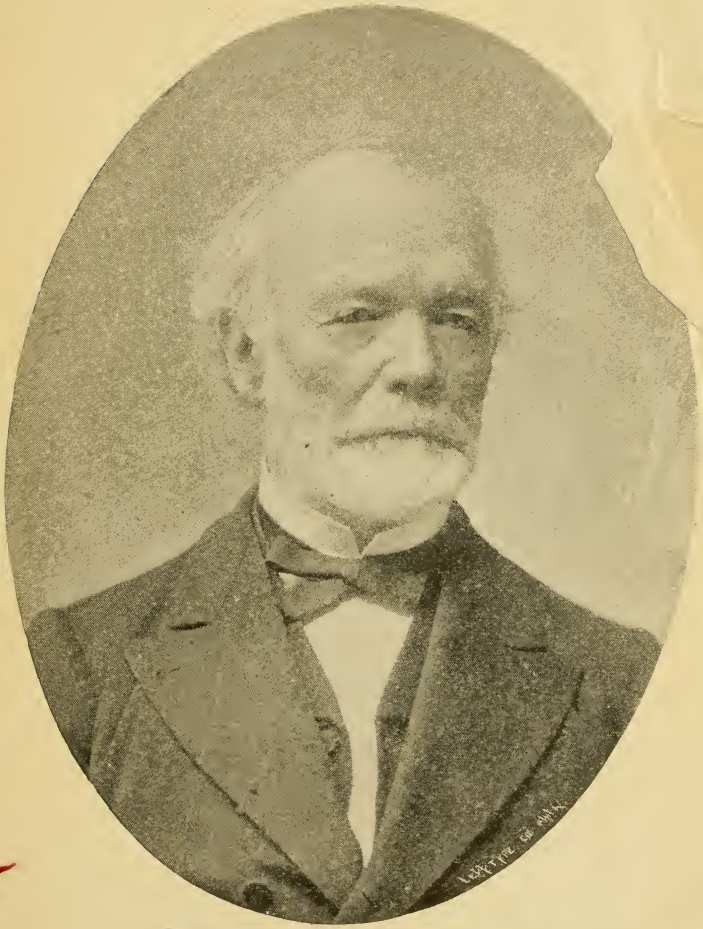
Class E467
.1
Book .J74J6

GPO



GENERAL JOSEPH E. JOHNSTON.
AGE 83 YEARS.

491
2351

A MEMOIR

OF THE

LIFE AND PUBLIC SERVICE

OF

JOSEPH E. JOHNSTON,

ONCE THE QUARTERMASTER GENERAL OF THE ARMY OF THE UNITED STATES,
AND
A GENERAL IN THE ARMY OF THE CONFEDERATE STATES OF AMERICA.

"Within the bounds of Annandale,
The gentle Johnstones ride;
They have been there a thousand years,
A thousand more they'll bide."

EDITED BY

BRADLEY T. JOHNSON,

FORMERLY A SOLDIER IN THE ARMY OF NORTHERN VIRGINIA.

ILLUSTRATED.

BALTIMORE:
R. H. WOODWARD & COMPANY.
1891.

E467
.1
.J74J6

01-1312

D.M.
& N'OO.

COPYRIGHTED, 1891,
BY
R. H. WOODWARD & COMPANY.

Dedication.

I Dedicate this Work

To My Wife;

My Staunch Comrade in every Fortune,

and

My Unfaltering Ally in Many

Vicissitudes.

PREFACE.

This Memoir has been prepared at the request of some old friends and soldiers of Gen. Johnston, and because I wanted to testify my affection for his memory and my respect for his character. I was with him at the beginning, and at the end of the war between the States. I was the senior captain of the First Maryland Regiment, before its organization, commanding it when he assumed command at Harper's Ferry, marched under him to First Manassas, and became in due course, colonel of that regiment in his army.

I knew him as well as a young subordinate ever does know his commander-in-chief. And it so happened that I was in command as a brigadier-general, at Salisbury, North Carolina, when he was at Greensboro in April, 1865. I was with him during all that trying time, and it was at my headquarters at Salisbury that he took leave of the generals of the Army of Tennessee after the convention of Durham's Station. I, therefore, knew him as a soldier and as a man, and I admired and loved him. Since the war my intercourse with him was frequent and intimate.

This sketch, written in a light-cavalry gallop, does not pretend to give detail of his campaigns or his battles; it only seeks to give a general view of military operations, that can be taken in at a glance.

The particular description of the movements of troops, of the hour they started, of the route they took, of the minute of their arrival, is, I think, inexpressibly tedious and confusing, except to the technical and professional student. I have, therefore, only tried to present a picture, and a map, together with a photograph of the General, as we all knew him, and as we want posterity to appreciate him.

There is a general feeling among our own people, as well as in the country at large, against any reminder of the sufferings of that war, and against any reminiscence, which brings back painful

emotions. But it is right and just that our own children should understand the causes of our action, and that they should justify us for resisting such a civilization.

Every statement herein recorded is true, and can be substantiated by incontestible testimony.

I have added in the appendix an original letter of Gen. Grant's, as a matter of justice to him, for it was suppressed by the administration of Andrew Johnson.

A comparison between the Federal Constitution of 1789, and the Confederate Constitution of 1861, is appended, showing the student of the evolution of institutions, what changes the Confederates sought to make in the Constitution their fathers had done so much to frame and to establish and to operate successfully.

BRADLEY T. JOHNSON.

July 15, 1891.

CONTENTS

CHAPTER I. PAGE.

BEFORE THE WAR..... 1

CHAPTER II.

THE WAR BETWEEN THE STATES..... 17

CHAPTER III.

THE ARRAY OF VIRGINIA..... 26

CHAPTER IV.

THE CAMPAIGN, OF 1861, IN VIRGINIA..... 36

CHAPTER V.

THE BATTLE OF (FIRST) MANASSAS..... 46

CHAPTER VI.

THE CONSEQUENCES OF THE FIRST VICTORY..... 55

CHAPTER VII.

THE LINES OF CENTREVILLE..... 62

CHAPTER VIII.

THE ARMY OF THE SOUTHWEST..... 94

CHAPTER IX.

THE VICKSBURG CAMPAIGN..... 101

CHAPTER X.

THE GEORGIA CAMPAIGN..... 112

CHAPTER XI.

THE FALL OF ATLANTA AND SHERMAN'S RAID..... 119

CHAPTER XII. PAGE.

The Dragonnade of South Carolina, and the Sack of Columbia 151

CHAPTER XIII.

Sherman and Cornwallis in North Carolina..... 181

CHAPTER XIV.

The Convention at Durham's..... 226

CHAPTER XV.

The Record of Sherman's Dragonnade 239

CHAPTER XVI.

After the Surrender..... 241

CHAPTER XVII.

The Years of Reconstruction 244

CHAPTER XVIII.

Davis and Johnston..... 251

CHAPTER XIX.

His Last Sickness, Death and Funeral..... 270

CHAPTER XX.

Gen. Dabney H. Maury's Reminiscences..... 291

CHAPTER XXI.

Reminiscences of Col. Archer Anderson..... 307

CHAPTER XXII.

The Richmond Memorial Meeting 318

CHAPTER XXIII.

Reminiscences of Gen. Joseph E. Johnston, by a Northern Soldier..... 326

Appendix 330

A MEMOIR

OF THE

LIFE AND PUBLIC SERVICE

OF

JOSEPH E. JOHNSTON,

Once the Quartermaster-General of the Army of the United States, and a General in the Army of the Confederate States of America.

CHAPTER I.

BEFORE THE WAR.

ON September 12, 1862, General Johnston wrote to President Davis, from his headquarters at Manassas, protesting against the relative rank as General assigned him by the President. "It seeks to tarnish my fair fame as a soldier and as a man, earned by more than thirty years of laborious and perilous service. I had but this—the scars of many wounds all honestly taken in my front, and in the front of battle, and my father's revolutionary sword. It was delivered to me from his venerable hand without a stain of dishonor. Its blade is still unblemished, as when it passed from his hand to mine. I drew it in the war not for rank or fame, but to defend the sacred soil, the homes and

hearths, and the women and children, aye, and the men of my Mother Virginia, my native South. It may hereafter be the sword of a general leading armies, or of a private volunteer. But while I live and have an arm to wield it, it shall never be sheathed until the freedom, independence and full rights of the South are achieved. When that is done, it may well be a matter of small concern to the government, to Congress, or to the country, what my rank or lot may be. I shall be satisfied if my country stands among the powers of the world free, powerful and victorious, and that I, as a general, a lieutenant, or a volunteer soldier, have borne my part in the glorious strife and contributed to the final blessed consummation." *

I have begun this tribute of love, respect and admiration with this expression of sentiment by Gen. Johnston, because I think it gives the key to his character, and his conduct in the war between the States.

The son of a revolutionary soldier, married to the daughter of his father's comrade, all the environment of early growth, and all the influences of mature life, conduced to impress upon his character, sentiments of devotion to duty, and to country, to truth, and to honor, and to develop that chivalry and nobility which were his dominating characteristics.

"My Mother Virginia," for whom his father fought under Greene and Lee, for whom he bled in Florida and Mexico, was to him the ideal of a lofty devotion. "My father's revolutionary sword," stainless when it

*Memoir of Jefferson Davis, vol. 2, page 151.

came to him, stainless it should ever be, and its lessons of chivalry, patriotism, fortitude and patience, were ever present during all the trials of a stormy life. This outgiving of his feelings, I have therefore selected as an introduction to a memoir of his public service.

Soon after the battle of Lexington, there reported to Washington, then commanding the army before Boston, a young Virginian, captain of a troop of cavalry, aged nineteen, ardent, enterprising and daring. He was descended from Lionel Lee, who rode with Richard Cœur de Lion on the Third Crusade, like himself at the head of a company of gentlemen volunteers, and who for his services was made first earl of Litchfield, and also from Richard Lee who, with Sir William Berkley, held the Old Dominion for the king against the Commonwealth, and who, as commissioner from Virginia, proceeded to Breda, and urged Charles II. to take refuge with his loyal friends and establish his government as King of Virginia, for the kings of England claimed to be kings also of Scotland, Ireland, France and Virginia.

He was the son of that Miss Grymes who Washington celebrated in adolescent and immature verse as his Lowland beauty, and who was his first love.

Under such auspices it can easily be understood that he was welcomed with interest by the commander-in-chief, whose notice and confidence he soon compelled by his activity and intelligence. He had that genius for war which is bred in some breeds; in no English one, probably, so marked as in this race of Lee. Gen.

Charles Lee, no kin to the Virginia Lees, said of him: "He came a soldier from his mother's womb."

In the operations in 1777, 1778 and 1780 in New York, Pennsylvania and New Jersey, he was always placed near the enemy, intrusted with the command of outposts and the superintendence of scouts, and was the eye and ear of Washington. His activity attracted the attention of the enemy, and on the 20th January, 1778, they attempted to cut him off. The reserve of his picket line was then posted at the Spread Eagle Tavern, about six miles below Valley Forge. A force of two hundred British light horse rode through his lines and reached his quarters about daylight. Lee, with two officers and five men, barricaded the doors and windows of the tavern and fought with such vigor and determination that after a contest of half an hour the enemy withdrew, fearing infantry reinforcements. Lee took horse with his squad and actually pursued them to the British lines.

Such an exploit rang through the army like the sound of a bugle. The commander-in-chief thanked Lee and his comrades in general orders. Congress promoted him to the rank of major, and gave him an independent partisan corps to consist of three troops of horse. The surprise and capture of Paulus Hook, in August, 1780, was rewarded by Congress with a vote of thanks and a gold medal. In the fall of 1780 the American cause in the South seemed irretrievable. Gates' Northern laurels had withered into Southern willows, Georgia was conquered, South Carolina overrun, North Carolina

paralyzed by internal factions; and with the conquest of Virginia Cornwallis hoped to restore all of the country south of the Potomac to its allegiance. In response to the urgent appeals of those States, Greene was sent them, to restore the ruined fortunes of the Confederacy.

The commander-in-chief could make no greater sacrifice, nor afford more efficient assistance, than by detaching Lee and his legion. Congress made him lieutenant-colonel, and added to his corps three companies of infantry. It was the finest corps that made its appearance on the arena of the Revolutionary War. The men were the best mounted, on three-quarter or full-bred horses, best armed, best equipped, best drilled and best disciplined in the whole army. They were picked volunteers from all the other corps, and made a *corps d'elite*, which is capable, under proper leadership, of accomplishing anything that soldiers can do. The cavalry had the free use of the sabre, and rode into action "boot to boot," says tradition, and were handsomely uniformed. An old soldier tells me he don't believe this. No Southern cavalry ever were made, or can be made, to ride "boot to boot." He fought under Stuart, and he knows.

When, therefore, Lee's legion, in the early winter of 1780, marched through the county side from Philadelphia to Charlotte, North Carolina, they set the country aflame. Their commander, the impersonation of manly beauty, of knightly grace and of soldierly bearing, carried his twenty-two years like a decoration, and not a man behind him but bore the port and mien of martial

valor. Just before Christmas, 1780, this martial array, aroused the hamlet of Farmville, in Prince Edward county, Virginia. At school there, was Peter Johnston, grandson of a Scotchman, and of that blood whose feud with the Maxwell's has furnished food for song and story for three centuries. Without standing upon any order, without why or wherefore, young Peter threw aside books, mounted his horse, and "joined the cavalry."

His intelligence and courage soon won him the commission of ensign, and for leading the forlorn hope in the attack on Wright's Bluff, in South Carolina, where he cut away the abattis to clear a way for the storming party, Peter Johnston was thanked in orders.

The war over, he returned to Prince Edward, where he embraced the profession of the law and became judge of the circuit embracing the southwestern part of Virginia. He was Speaker of the Virginia House of Delegates when the resolutions of 1798–99 were adopted by that body.

He married Mary Wood, a niece of Patrick Henry, who on February 3, 1807, bore him a son who was named Joseph Eggleston, after a Captain of the Legion, his father's comrade and friend.

The child was born at Cherry Grove, his father's plantation, near Farmville, Virginia, and spent his early years amid the scenes and surrounded by the traditions which clustered around the hearth of a revolutionary soldier. His father had been a soldier of the Legion. His godfather for whom he was named had ridden with

Lee and charged with Washington; in his mother's veins was the blood of the leader of the resistance to tyranny in America, the forest born Demosthenes, and every breath the child and lad breathed, inspired him with the tradition of liberty, the sentiment of chivalry and devotion to honor, right and duty.

Every gentleman in the neighboring country had ridden with William Campbell, to drive back Ferguson, and had formed part of that circle of fire which had destroyed British control in the South, at the battle of King's Mountain.

With such surroundings, it was necessary for him to become a soldier, and in 1829, he graduated at the Military Academy at West Point in the same class with Robert Edward Lee—son of his father's commander, comrade and life long friend, and was commissioned Second Lieutenant in the Fourth Artillery, as is customary in the military service of the United States. He served his turn of garrison duty at the various posts of the United States at Fort Columbus, New York in 1830–31, at Fort Monroe, Virginia in 1831–32; was in the Indian war with Black Hawk on the northwest frontier in 1832, where he served with Jefferson Davis, Lieutenant of Infantry and Abraham Lincoln, Captain of Volunteers. He was in garrison at Charleston, South Carolina, in 1832–3, during the nullification controversy, and I have found no account of the position taken by him at that period. Many officers of the army contemplated resignation rather than to bear arms for the subjugation of a State, but I am not justified to say that Lieutenant John-

ston entertained those views. General Jackson was a Southern soldier—he had led Southern men in battle and it might well have been that the son of Peter Johnston of the Legion would have followed the hero of the battle of the Horse Shoe and of Chalmette.

He was on duty at Fort Monroe in 1833–34, at Fort Madison, North Carolina in 1834, and on topographical duty in 1834–35. He was promoted First Lieutenant Fourth Artillery, July 31, 1836, and served as aid-de-camp on the staff of Gen. Scott in 1836-8, during the Seminole war. He resigned on May 31, 1837, and pursued the profession of Civil Engineer. He had married Louisa McLane, daughter of Lewis McLane and grand-daughter of Capt. Allan McLane, who had commanded a troop of dragoons in the army under Washington.

Louis McLane had been Secretary of the Treasury and of State, and Minister to England in Jackson's administration, but in 1837 had been made President of the Baltimore & Ohio Railroad Company, in which corporation, all the energies of the City of Baltimore, and the State of Maryland, were concentrated in the enterprise of opening the western country to the commerce of the Atlantic ports. The slow promotion in the Army offered small inducement to an able and ambitious young man, to devote his life to the profession of arms, and the construction of the great road to the west, of which his father-in-law was president, seemed to open a career of usefulness and honor, which it was his duty to embrace.

But the call to his soldier blood could not be resisted, and he returned to the army in Florida with the rank of first lieutenant of topographical engineers, on July 7, 1838.

The struggle of the Seminoles to retain possession of the graves of their ancestors and the homes of their fathers, was but another chapter in the history of the never ending encroachment of the superior race upon the inferior, and another illustration of the irreconcilable conflict forever going on between the forces of civilization and barbarism. Whenever, wherever and however any black, brown or colored race has ever anywhere, possessed anything, the white race wanted, the whites have taken it from them. Whether it be the invasion of the peninsula of Hindostan, or the Valley of the Nile, or the fertile plains of Western Europe, or the two American continents, the fair-haired race from the table lands of Central Asia has possessed the land and has cultivated it. It is now about to exterminate the inferior races of Africa, just as in the last three centuries it has eliminated the colored races in America. Peruvian and Mexican, Pequot and Susquehannah, Cherokee, Choctaw, Sioux and Sac, have all faded away, by the operation of the inexorable law of the survival of the fittest. But the Seminole made gallant and bloody defence. In the dark recesses of the cypress swamps, in the gloomy aisles of the everglades, for a generation they defied pursuit or capture. Many a soldier in blue was lost there, leaving not a trace, and the black waters of those mysterious alleys, closed over and concealed

many a tragedy. The pursuit of the Seminoles was as perilous and thankless a duty as ever a soldier performed.

During the Christmas holidays, 1835, Major Dade, with 110 men, was set upon, and the last man tomahawked and killed. This was known in army chronicles as Dade's massacre.

When, therefore, Lieutenant Johnston reported for duty to General Zachary Taylor, in July, 1838, it was on no holiday tour he was about to embark, nor the work of a carpet knight, that he undertook. Toil, privation, danger, the lot of every soldier, never confronted one in more forms, than in the war in Florida with the Seminoles. As a skilled and experienced engineer, his services were immediately called into requisition. The amphibious requirements of the everglades necessitated the organization of a corps, half marine and half military. Boats manned by sailors were used to convey soldiers on reconnoissance and from place to place.

A force of this kind, to which Lieutenant Johnston was attached as engineer, with no command of troops, was exploring the lakes and ponds and water alleys of the everglades, in boats, when they ran into an ambuscade, and at the first fire from the banks the officer in command was killed. In an instant Johnston assumed command, asserted control of the men, landed them, charged his concealed enemy and drove them from cover to cover, until he had restored the moral of the command, and then fought his way back seven miles to camp. Lieut. Robert M. McLane, of the fourth

artillery, his brother-in-law, was sent out with a party to reinforce and cover him, but he found Johnston in perfect control of the situation, falling back on his own terms and at his own convenience. McLane has since been Member of Congress, Governor of Maryland and Minister to France, but he has never performed more gallant duty than this of leading a forlorn hope to the rescue of his friend and comrade.

During this affair Lieutenant Johnston was hit by a rifle ball on the top of the forehead, and the ball running round under the scalp, came out behind, inflicting a flesh wound, not serious. The coat he wore on this occasion was long preserved as a curiosity in the command. It had thirty bullet holes in it. A suitable souvenir for the son of Ensign Johnston, who cut away the abattis at Wright's Bluff in 1781 to clear the way for the stormers. He was in charge of the Black River improvement in New York in 1838–39, of the Sault St. Marie in 1840, the boundary line between Texas and the United States in 1841, the harbors on Lake Erie in 1841, and the Topographical Bureau at Washington in 1841–42. He again served in the Florida War in 1842–43, when the long struggle was substantially brought to an end by the expatriation and extermination of the Seminoles.

He was acting assistant adjutant general in 1842–43, was on the survey of the boundary between the United States and the British Provinces in 1843–44, and on the coast survey in 1844–46, and was promoted captain in the corps of topographical engineers September 21, 1846.

The annexation of Texas brought on a war with Mexico, and two lines of operation were decided upon by the administration of Polk against the Republic of Mexico.

One was by an army moving from the lower part of the Rio Grande to occupy and segregate the Northern States of Mexico from the capital, the other was by direct attack on the Fortress of Vera Cruz, to secure it as the base of operations against the City of Mexico. These two co-operating movements were believed to be most effective, and were adopted as the strategy of the war.

The campaign of Scott, beginning with the reduction of the Fortress of San Juan d'Ulloa and the fortified city of Vera Cruz and ending with the capture and occupation of the City of Mexico, for military genius in the commander, for endurance, daring and gallantry in officers and men, is not excelled in the annals of war. The highroad from the seaport to the capital has been for centuries the way of approach to the heart of Mexico. Constructed probably by the Astecs, improved by the engineering skill of the Spaniards when they were the first soldiers of the age, it had been fortified and prepared for defence by all the expedients known to the military art. Cortez marched over it to the Conquest of Mexico, and prevailed with superior arms and civilized skill over an army half barbarian, and insufficiently equipped.

Scott moved over the same line with an utterly inferior force in numbers, against fortifications constructed on the most approved principles of engineering, and mounted with the best artilery that modern art could furnish.

The roadway from the sea rises over successive chains of mountains, and passes through mountain gorges which one after another were defended by earth works and heavy guns ranged in parallel lines one above the other. At three days march from Vera Cruz, the pass of Cerro Gordo made an obstacle almost insurmountable.

The Mexican General in Chief, Santa Anna, with sixteen thousand men, occupied this formidable position. The road led through a rocky ravine, overhung on each side by precipices fortified with line above line, of earthworks, defended by artillery and infantry.

On the 18th of April, 1847, Scott, with eight thousand men, attacked and carried the place, with the precision of a game of chess.

Every movement of every brigade was worked out beforehand, every hour specified every route marked out, and all explained in orders to the troops before going into action. Scott's order of battle of the 17th was a prophecy of what would be done as well as an order of what ought to be done. Captain Johnston, in discharge of his duty as topographical engineer, made the reconnoissance on which Scott's plan and movements were largely based, and in so doing he was badly wounded and for which he was promoted Lieutenant Colonel and Colonel April 12, 1847, his promotion being for gallant and meritorious service at the battle of Cerro Gordo, was dated from the day of the service and the wound, and not from the day of the battle.

Scott says in his report: "The plan of attack

sketched in General Orders No. 111 forwarded herewith, was finely executed by this gallant army before 2 o'clock P. M. yesterday."

Pressing on with vigor and determination in August, Scott carried the fortified positions of Contreras and Cherubusco. The fortress of Chapultepec then confronted him as the last tenable point of defence, for the City of Mexico.

Chapultepec is the historical fortress of Mexico. Occupied by the Astec Emperors, it was retained by their Spanish successors as the key to the Valley of Mexico and to the capitol of the nation. Crowned by a strong building of masonry, which had been a palace, and then converted into a citadel, the base of the hill was girdled by a stone wall four feet thick and twenty feet high.

The lower slope was honey-combed with mines and protected by breast-works heavily manned with troops. The place was inaccessible save by storm. The position of the wall was such as to render a breach by artillery impracticable, and the only way through, was to go over by aid of ladders.

On September 13, 1847, the intrepid Americans carried the place by assault. Lieutenant-colonel Johnston leading four companies of the voltigeurs. He was severely wounded, but Scott reported that he was the first to plant a regimental color on the ramparts of the fortress.

An army tradition says that Johnston's ladder proving too short, lithe and active as an athlete, he made a

soldier raise him on his shoulders, and thus shove him into an embrasure, whereby he got in first.

The surrender of the City of Mexico and the peace followed, and he came home with a reputation second to none in that galaxy of brilliant soldiers. Among his comrades were Pierce, afterwards President of the United States; Captain Robert E. Lee, Lieutenant Hooker, commander of the Army of the Potomac; Beauregard, E. Kirby Smith, Stevens, who died under the Union flag at Chantilly; Dabney Maury, who won fame by his defence at Mobile against Farragut; Geo. B. McClellan, and that long list, who then and since have shed imperishable renown, on the name and valor of the American soldier.

Johnston's training and accomplishment was second to that of no man who ever wore the uniform of a soldier. His experience with troops in Florida and in Mexico had made him master of that art which directs the movement, transportation and subsistence of troops in the field. His employment as engineer on fortifications had afforded him an opportunity for study and reflection, which the life of an active soldier in war never gives, and his extraordinary intellectual force and ability had enabled him to improve his great opportunities to the utmost. As if fate were preparing him for a great career, he served as chief of topographical engineers in the department of Texas in 1852–53, was in charge of Western river improvements in 1853–55, and was acting and inspector-general of the Utah Expedition of 1858. As if to give the last measure of the

widest broadest military education, he was appointed quartermaster-general of the Army of the United States, June 28, 1860.

Thus having personally led troops in action, as staff officer having directed an army in the field, as engineer having selected and prepared lines for defence, he had been trained in the largest and severest school of the soldier, physically and intellectually, and I do not claim too much when I assert that in the year 1861 he was the best equipped soldier in the Army of the United States, accomplished in all the knowledge of the art of war and capable of directing great affairs and great armies. He was master of the art of logistics, the art of managing armies.

Lee was a great soldier, but he had not had the scientific training that Johnston had. McClellan was a great soldier, but he never had enjoyed the diversified experience that good fortune and his own merit had afforded Johnston.

CHAPTER II.

THE WAR BETWEEN THE STATES.

IT is proper here to consider the political conditions which brought on the war between the States, and which justified and required Johnston to resign high rank in an established army, to cast his fortune with a side when he knew success was doubtful, and where he also knew that failure meant ruin to him.

But the principles which controlled his conduct were so well defined that a bare statement of them will suffice. "My Mother Virginia" and "My Father's Revolutionary Sword" give the key to his sentiment and the clue to his action.

Virginia was his native land, for whom his father's sword had aided to achieve independence, and while he had breath and an arm his heart could never cease to love his mother State nor his sword to defend her. A silly slander has been reiterated for thirty years, by people who know better and who persist in mendacity out of pure malice, that the gentlemen, who, educated at West Point, resigned their commissions in the army of the United States to defend their mother's homes and their father's graves, were basely ungrateful to the hand which fed them and had trained them in the profession of arms; nothing can be baser than this falsehood. Lee and Johnston were educated at West Point by Virginia money contributed by taxes paid by Virginia for the common defence,

and there never has been a day since Virginia entered the Union in 1789, that the money paid by Virginia to the Federal government has ever been returned to her by expenditures within her borders or to her people. They were Virginia soldiers trained at Virginia's expense, and when she needed them they came to her like noble sons as they were.

George Washington bore the commission and the uniform of the King of England, and he doffed the one and resigned the other to defend *his* Mother Virginia. He was traitor and rebel sure enough, but success crowned him Pater Patria and apotheosized him as Hero, Patriot and Sage. But if Sir Henry Clinton had pushed his advantage at Monmouth, Washington might have been tried before a special commission as Derwentwater or Monmouth had been tried before him, and might have been hung, drawn and quartered, and his head and limbs would have decorated Temple Bar.

But this misfortune surely would not have changed the nature of his character or the tenor of his conduct. He would have still been the patriot, defending his native land and the hero, dying as Hampden had died before, in defence of the liberties inherited from free ancestors.

Therefore it would seem that the only difference between Washington, who left the British Army to defend his Mother Virginia, and Johnston who left the Federal Army, then having become the Army of the Northern States to defend his Mother Virginia, is only the difference between success and failure—which his-

torically, morally or logically, can in no way affect the question.

The settlements of the English on the Atlantic coast of the North American Continents were made by authority of grants from the English Crown. At common law all corporations must be created by the Crown and the creation of corporations for the purpose of settling the newly discovered country beyond the Atlantic was the exercise of the long used, and admitted power, inherent in the Crown. Some were trading corporations, as the grant to the London Company or the Plymouth Company, or the Virginia Company. Some were corporations sole, as the grants to Penn, to Calvert, to Sir William Alexander. These corporations were as distinct and separate as those of London or of Yarmouth.

They were all amenable to the law and were responsible to the process of *scire facias* of *quo warranto* or of mandamus. They could be restrained from exercising power not granted to them, and their charters could be taken away for an abuse of their powers. They could be compelled to perform their duty to the King or to their fellow subjects, and the Court of Kings Bench or High Court of Chancery had ample power to compel them to do right.

In 1775, these distinct and separate corporations undertook to free themselves from the control of the Crown and of the Crowns Courts, and meeting in a convention at Philadelphia, each equal to the other, agreed in 1778, to terms of confederation, in order to form a perpetual union of free, equal and sovereign States. They all

joined in this union except Maryland, who acted with and supported them until 1781, when she also came in.

On July 4, 1776, these thirteen Provinces or Corporations united in declaring to the world that henceforth they were free and independent States.

In 1778, France made a treaty of perpetual alliance with the thirteen United Colonies, naming each one separately as one of the contracting parties.

The treaty with the king of Great Britain in 1783 acknowledged the United States, viz: New Hampshire, Massachusetts Bay, &c., naming each one of the thirteen to be "free, sovereign and independent States," and "that he treated with them as such."

When the articles of confederation proved to be inefficient, the States, as States, called a convention to reform those articles, they met as equal States, each having an equal vote, framed a new constitution as States and submitted it for ratification or rejection by each State for itself. Eleven States seceded from the confederation, which by its terms was to be perpetual, and formed a new union which was to be more perfect than the perpetual union which had only lasted ten years. The prime mover in this secession, who presided over the secession convention at Philadelphia, and who signed the act of secession called the Constitution, was George Washington, known to the world and in the hearts of his countrymen as the father of his country. During all this time, while these tremendous events were occurring when the thirteen free and independent States were struggling for life, first by forming a "per-

petual union," and then by seceding from that union and endeavoring to form a "more perfect one," under an amended constitution, when two States refused to secede, and held on to the old original Simon Pure Union, no one, any where, had hinted, or pretended to intimate, that there was such a thing as an American Nation. The thirteen States united—the eleven States united, consisted of thirteen or of eleven free sovereign and independent States. So they proclaimed themselves, so the King of England had acknowledged them, so the King of France had treated them, so all the Christian powers had esteemed them.

Virginia, New York and Massachusetts, in seceding from the confederation and acceding to the union, had expressly reserved to each the right and power to withdraw from the latter, as fully as they had from the former, and they explicitly disclaimed the right or power to bind the hands of posterity by any form of government whatever. Most of the seceding States on joining the new union, had insisted on certain amendments to the ordinance of secession, called the Constitution, in order to make plain beyond doubt or cavil, the nature of the new compact, and the very first business transacted by the Congress of the Union was the submission of these amendments to the States in the Union for ratification and adoption. North Carolina and Rhode Island having refused to secede, constituted still the old perpetual confederation.

Number ten of the amendments at that time proposed, and ratified is in these words:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people." The adoption of these amendments was by most of the States made a condition of their accession to the new Union, and without the distinct understanding and undertaking by the friends of the new compact that these amendments should be adopted as part thereof, the union would not have been formed.

It never entered the mind of any sane man, that by the Federal Constitution the States or the people intended to delegate to the United States that power of secession, and of changing the form of their government, which they had just exercised, and out of and by which the United States had been created. On the contrary, the power delegated to the United States to alter, amend and change the form of government then constituted, was distinctly marked out and designated, and the mode of its exercise defined and limited. It could only be changed by the United States, with the concurrence of three-fourths of the States.

This was the only power of alteration, delegated to the United States. All other methods of alteration or amendment were reserved to the States or to the people thereof. In the exercise of this reserved power, thirteen States in 1861, as eleven States had done in 1789, withdrew from the form of government constituted by their ancestors, met at Montgomery, Ala., and taking the constitution of 1789 as their basis, altered, amended and improved it, so as to provide for the dangers which the

experience of two generations had shown. The articles of confederation of 1778 had proved to be insufficient to secure to the States and the people, the blessing of a stable and just government. The seceding States had substituted for them a constitution under which the country had prospered and developed. But by 1861 the power of government had been usurped by one section, within the letter, and in defiance of the spirit and intent of the law, and the minority, in the exercise of those rights by which Anglo-Saxon liberty had been protected and defended for a thousand years, withdrew from that government, which was no longer their government, and established a new Union, under an amended and improved Constitution, better suited to the new conditions of society, and better adapted to secure liberty to their posterity. No man can be found, even now, who will deny that the people of each State have the right to alter and amend and change their own form of government, at their own will.

And it has got to be the law of heredity in the race, Anglo-Saxon, Norman, Dane, Celt and Goth, which conquered, settled and pacified England, that each generation is bound to transmit to those who come after it, all the rights and liberties transmitted from free ancestors. Their is no question of logic, or of reason, or of tradition, or of charter, or of written or paper guarantees. We have inherited from our ancestors rights to be free, to be happy, to possess our own homes—our wives and our children—without challenge, check or molestation. Every generation has enlarged their

rights, has struggled to increase them. In this struggle, always intensifying, never ceasing, never yielding, we have invented the right of *habeas corpus*, to secure to each personal liberty, the right of trial by jury, to secure to the humblest protection against the most powerful, the right of home, of hearth, and of family.

These divers and constantly-amplifying fortifications of personal rights, have been only the muniments of *rights*. The form has never been regarded—the thing is what has been held sacred—and no matter in what social organization our race has found itself, Saxon community, Norman feudalism, Roman paternalism, the right of each man to think for himself and do for himself has been its radical idea; and deeply implanted so far back that its traditions give no clue to its beginning has been the fundamental, ineradicable, unchangeable law, that it is the duty of the father to transmit to his children all the rights of personal liberty which he inherited from his ancestors.

The bee builds its octagon cell, the ant constructs its ways and its store-houses. No man can give reason for their acts; they work out the law of their being. And the composite Aryan race centered in the Islands of the North Sea, are controlled, dominated, directed by a law as irresistible as ever guided and forced any action of animal or vegetable creation. The rights of liberty inherited from our ancestors must, by the law of our nature, be transmitted unimpaired to our children.

Property rights, rights to personal consequence and honor, are of secondary importance, but the right to

free thought, free labor, free trade, for every man to be secure in his right to one wife, and their children, to his home, the product of his own labor, or the reward of his labor, these rights must be transmitted to his children, enlarged if possible, but certainly and absolutely, unrestricted and unimpaired.

This law of heredity in the race, of duty to preserve, protect and transmit all inherited rights to children, as fully as acquired from ancestors, is the law that has made the race the dominating, directing, controlling force of the whole world, in modern times, and in modern civilization. Where people are willing to give up all struggle for liberty, to secure to posterity rights inherited by ancestors, when they prefer present ease and luxury and comfort, to turmoil and contest for right, then that people are doomed to the fate that has overtaken all preceding civilization. Such were not the people confronted by the duty of action in 1861.

CHAPTER III.

THE ARRAY OF VIRGINIA.

FOR many reasons the environment of the early history of Virginia was peculiarly romantic and picturesque. When the force of the renaissance begun to be felt in England, and the vitality of the new learning to be imparted to the hearts and minds of Englishmen, when the great changes wrought by Henry VIII had become operative, and the ideas of the reformation taken deep root, all-pervading energy, directed thought, ideas and action. The imaginations of men created realms from dreams, and stimulated efforts from aspirations.

And this extraordinary excitement possessed all classes of society. The struggle of the Reformation with the Papacy, of free thought with authority, produced intellectual and physical energy, never before equalled in the history of man.

The destruction of the Armada, made England mistress of the seas, while the imagination of Shakespeare, and the intellect of Bacon, gave her equal pre-eminence in the world of thought.

In this prodigious effort of will, and mind, and body, Virginia was born. From the first, she was the Utopia of England and Protestantism. Spain had possessed all the Southern part of the new world, with its islands and its ocean shores, and from the Southern cape to the

Northern sea, on the West. France had seized the larger part of the North American Continent, from the lakes to the North Pole. Virginia alone, between the two great reactionary powers, represented progress, liberty and hope.

Virginia included the Northern Continent, from ocean to ocean, and from the French on the North to the Spaniard on the South.

She represented the cause of liberty, of free thought and free action.

In the first company of Virginia were included all the leading historic families of the realm—seventy peers and one hundred knights and baronets, and all the great merchants and trading guilds of the kingdom. Percy, of Northumberland, sent his son Henry to represent the family, whose antiquity, nobility and splendor, says the chronicler, antidates the Norman kingdom, and which for a thousand years had furnished soldiers to carry the flag of England in battle, and statesmen to enlarge her authority and to guide her destinies. Hardly a noble family in England but was represented in that wonderful array which destroyed the Armada; hardly a family which had struck for England and free thought, under Lord Howard, of Effingham, against Parma and Medina-Sidonia and Guise, but was represented in the settlement of Virginia.

Henry Percy was governor for a time, and left the title of his house to a county.

Virginia was "The Dominion," and constituted the fifth of the dominions of the king, whose title was King

of England, Scotland, Ireland, France and Virginia. She bore on her coat of arms and her great seal the proud motto:

"*Virginia cu dat quintum*,"

for she was the peer and equal of either of the other four kingdoms claimed by the English crown.

The dawn of her history had been illustrated by Capt. John Smith—soldier, statesman, knight errant—who bore on his shield three Turk's heads, in memory of the three Turkish champions of the crescent he had slain, in honor of the cross, in open fight before the walls of Silistria.

The country is a parterre of souvenirs, redolent and blooming with flowers of sentiment and romance; it is a shrine of consecrated relics.

Here at Powhatan is the very stone upon which Smith's head lay when he was saved by Pocahontas. There is Powhatan's chimney, sole relic of the power of the great emperor. Here is Bacon's Castle, where Nathaniel Bacon mustered the "householders" of Virginia for their first rebellion in defence of liberty and home. There is Bloody Run, which perpetuates the bloody victory of the Virginians over the savage on the very edge of the city of Richmond. There is the path by which Pocahontas came to give warning and save the infant State from extinction. Boscobel is held by the family to whose ancestor it was granted by Charles II for loyal service at the Royal Oak. Romancoke designates the spot of Claiborne's victory over the Indians, in consideration of which, the estate of 40,000 acres was granted to him.

In this family is preserved the collar and star of the Order of St. Stanislaus, once belonging to Lewis Littlepage, Chamberlain to the last king of Poland, and Knight of the Order of St. Stanislaus. In another is kept the silver frontlet presented by Charles II to the Queen of Pamunkey, and still another holds the golden horseshoes, set with precious stones, given to their ancestors by Sir Alexander Spottswood as the insignium of the Order of Tramontane Knights, who rode with him on the march over the Blue Mountains. Here is Greenspring, where Sir William Berkley and the Cavaliers held high feast during the Commonwealth, when the King was over the water, and where they drank many a full bumper of Virginian wine, passing it from left to right over a tumbler of pure water. There was Greenway Court, where Lord Fairfax, descendant of the blonde Saxon and of Black Tom Fairfax, called to his servant on the news of Yorktown, to take him to bed to die, for it was time now.

There is the road called Braddock's road, over which the British general, with his Virginian aid-de-camp, marched to battle and to death. There is another road, known to this day as "Marquis road," which Lafayette cut through the forests of Culpeper to close in on Cornwallis and the British. There is the stone which marks the post of Arnold's outside picket when he sacked and burnt Richmond. At Rock Castle is the mark of Tarleton's sabre where he hacked off the arms of Tarleton, borne by the Lord of the Manor, and carved in the wood over the chimney piece. There live

the descendants of Taliaferro, who rode by the side of William, carrying his banner at Hastings, as he chanted the song of Roland and the rear guard, at Roncesvalles.

Alexandria is named for Sir William Alexander, descendant of a Norse viking, who conquered the isles on the North Coast of Scotland, and whose descendants, as lords of the isles, reigned there for centuries, to reappear in Virginia and make their mark there by intellect, and force of will, as their ancestors had done with sword and dagger.

There was the descendant of old Sir Humphrey Gilbert, who, when his vessel, on his way to Virginia, was sinking, his last words were, "Be of good cheer, my friends, it is as near heaven by sea, as by land."

Not a neighborhood, not a mountain peak, not a ford, nor a ferry, but has always borne a connection with a romantic and sentimental past.

Tradition transmits legends of honor, of piety and of devotion. From every fireside proceeds the light of love, of honor, of family, and of friends. The aroma and the halo of romance ladens the air and glows around the hearts of the people.

From these surroundings, and by their influences, a well-marked and distinct character has been produced, which seems to be the most enduring and most forcible as yet evolved by American civilization.

Polybius has a chapter on the characteristics of the Romans, who he describes as a singular people, for, says the Greek, "They actually believe that they are bound to keep their oaths, and do keep them." Such a

waste of energy in telling the truth, and keeping faith, was incomprehensible to the keen, alert intellect of the descendant of the conquerors of the great king.

But the solid manliness—the unreasoning obedience to duty, the devotion to truth—the respect for courage displayed by the Latin race made the Romans the conquerors of the world and gave them pre-eminence in intellectual force, and leaders of thought, in all the history of all time.

The circumstances surrounding the settlement of Virginia—her progress as the Dominion, the individuals and incidents marking her development—have given her a concrete form and an actual existence to her children. The common language of the common people designates her as "The Old Mother," "The Mother of Us All," and the Virginian has no hazy, vague conception of country; Virginia is to him his Mother, the common Mother of the noble brood of noble children.

Said old John Janney, of Loudoun, Union man and President of the Convention of 1861, when taxed with taking sides with Virginia against the Union: "Virginia, sir, was a nation one hundred and eighty years before your Union was born." The sword of Virginia, wielded by Andrew Lewis at Point Pleasant had shattered the Indian power in the Northwest, and saved the settlements from Erie to Savannah from pillage and massacre. The standard of Virginia, borne by George Rogers Clarke, had acquired that great empire north and west of the Ohio, and the motto of the Dominion, "*en dat Virginia quintum*," had given way to the war cry of the sovereign States, "*Sic Semper Tyrannis.*"

Every honor, every distinction, acquired by any Virginian, anywhere, is the right and property of the old Mother, and every right of the old Mother belongs, by equal right to all her children. They are the Romans of modern history. They love God, they tell the truth, they honor manhood, they despise the false, they scorn tricks. They are the English of Shakespeare and Elizabeth, of Raleigh and of Drake, who have made the genius of England to be known wherever thought lightens or imagination alleviates human lives, and who circled the globe with the red cross of St. George.

They have changed less than their brethren over sea, and furnish now the highest types of the character which has moulded England, and the closest family resemblance to their ancestors.

There has been much derision and ridicule over the First Families of Virginia. They have furnished mirth for fools for three generations. But the First Families are facts. They are not separated by wealth. They are marked by character alone, and in all the vicissitudes of fortune, wherever they have been, and however called upon, they have promptly responded, and shown themselves first in fact, to the demands of duty.

Whether as merchant in Hong Kong or sea captain against the Malay pirates, as pioneer to California or Australia or South African mines, as financier on Wall street, at the bar, in the pulpit or in the professor's chair, the scion of the First Families has everywhere always

vindicated the law of heredity, and given another proof that "blood will tell;" and there were no second families. Every Virginian was as good as any other man, and no other man was as good as any Virginian unless he was brave, truthful, honest; money never equalized them.

By the assize of arms instituted by King Henry II, whenever the royal standard was raised, the "array" of all men capable of bearing arms was bound to turn out to support the King's authority. Virginia opposed the war, begged for peace, called peace conference to meet her sister States and avert war, and elected a convention to meet at Richmond to consider and decide upon what ought to be done, what the duty and the honor, not the prosperity and the profit of Virginia, required to be done.

When the President of the United States called for troops to coerce the States who had seceded, Virginia raised her standard, called her assize of arms and summoned her array of her sons to protect "the Old Mother." They came from everywhere,—Austin Smith from San Francisco, Bradfute Warwick from Naples, Powhatan Clark from Louisiana, Robert Edward Lee, Colonel of Dragoons, son of Light-horse Harry, of the Legion, Joseph Eggleston Johnston, son of Peter, Ensign of the Legion, Quartermaster General of the Army of the United States, Jeb. Stuart, Hill, A. P. The very earth trembled at the tramp of the Virginians as they marched to the assize of arms of the mother of them all.

No such picture can be drawn of any event in history;

no such incident can be described. Webster said of old England that, "her morning drum beat, following the sun, circles the world with the martial airs of England."

But when Virginia flung her standard to the breeze with her proud motto, "*Sic Semper Tyrannis*," and summoned her array, the earth blazed with the fiery cross of Virginia as they rushed to her defence. From every continent, from every clime, from all avocations, from the bar, the pulpit, the counting room, the work-shop, the Virginians came.

"Their's not to reason why,
Their's but to do and die."

When the Sea Venture, after the romantic shipwreck at the Summer Isles, which gave Shakespeare the incident and the locality for the Tempest, was about to loose her gallant commander, old Sir George Somers, when he gave up his manly spirit, he called his crew about him and "exhorted them to be true to duty and return to Virginia."

The words of the old knight rang like a trumpet call wherever there was a Virginian, "Be true to duty and return to Virginia." Those who failed to obey that call, for there were a few, a very few, who did fail, by their subsequent lives, did not furnish bright examples of renown, success or happiness, to encourage others in future crises to follow their example.

It is due to candor to say that neither Lee nor Johnston approved the action of the other States, for they knew that such action would inevitably bring on war, and they knew what war meant, but there is no reason

to think that either of them for a moment believed that Virginia could, would or ought to act, except just exactly as she did act. With them, as with all other Virginians, the simple question was: "With or against blood and kin? For or against the old mother?" and the question answered itself in the asking.

CHAPTER IV.

THE CAMPAIGN OF 1861 IN VIRGINIA.

THE Virginia convention, on the 17th of April, adopted an ordinance, repealing the act by which, in 1787, she had accepted the Constitution made at Philadelphia, and provided for accepting the Constitution as amended and accepted by the States at Montgomery; the ordinance to be submitted to the vote of the people on the 24th of May. The secret was at once proclaimed all over the land, and on April 19th, a Massachusetts regiment passing through Baltimore in response to President Lincoln's proclamation to defend the capital, was attacked in the streets by a mob and badly demoralized.

The Virginians promptly took possession of Harper's Ferry, where there was a depot of arms, and were about to seize Fortress Monroe, but lost their opportunity through vacillating counsels of a State administration, faithful and zealous, but inexperienced in war.

Brigadier-General Johnston sent in his resignation to the Secretary of War of the United States on Saturday, April 20th, and it was placed in the hands of the Secretary April 22, with the request that the proper order accepting it be promptly issued. This was done, and on the morning of the 23d, with only his personal arms and clothing, he left Washington for Richmond.

His house, and all property of every kind belonging to himself and his wife, was left behind.

Owing to an accident to the train, he did not reach Richmond until the next day, when he at once reported to John Letcher, Governor of Virginia, and was by him forthwith commissioned as a Major-General in the service of his State. Lee had the day before been placed in command of all the armies of Virginia, with the same rank.

Gen. Lee assigned to Gen. Johnston the duty of organizing and instructing the volunteers, then rallying to the standard from all quarters of the State, the Union, and the globe.

The points to be occupied in force for the defence of Virginia were designated as Norfolk, Yorktown, a point on the lower Potomac in front of Fredericksburg, Manassas Junction, Harper's Ferry and Grafton.

This it was supposed would make a defensive line where each place could support the other, and which would protect the State from invasion and save her people from the horrors of war.

In two weeks Virginia acceded to the Confederacy, and Gen. Johnston, his place of Major-General having been abolished, accepted the commission of Brigadier-General in the Army of the Confederate States.

The United States by that time had three armies threatening Virginia : one at Washington under Gen. McDowell, one at Chambersburg under Gen. Patterson, and one in West Virginia under Gen. McClellan. It was supposed, and indeed generally given out, by those

omniscient strategists, the newspapers, that Patterson and McClellan were to unite at Winchester, capture the Confederates at Harper's Ferry, and then march over the Blue Ridge passes, so as to attack Manassas Junction in flank, while McDowell closed in in front, and thus the way would be open for the "on to Richmond" move so vociferously called for and confidently expected.

The military authorities of the Confederacy and of Virginia were under the most extraordinary delusion as to the value of Harper's Ferry. It is the point where the Shenandoah joins the Potomac, and their united flood forces its way through the Blue Ridge. It is a mountain pass, absolutely impregnable if the enemy will only attack at either end. But as a fortress to cover a line, or a fortified camp for a military depot, it is useless and indefensible.

Good roads cross the Potomac at every point north and northwest of it. A bridge led the way into Virginia at the Point of Rocks, and practicable fords existed all along the Potomac, south and southeast of it.

Instead of being a Thermopylæ it was a trap, as was proved in 1862, when it fell after a twenty-four hours' defence before Lee, coming from the northern side. Lee, in 1862, forded the Potomac below Harper's Ferry, and in 1863 above the point, as Early did in 1864. Ten regiments of infantry, a four-gun battery and a regiment of cavalry were collected there, and in the latter part of May, Gen. Johnston was sent to command it. His orders were impressive as to the value of the position, as the key to the valley, and the commanding position to protect Virginia from invasion.

He reached Harper's Ferry on the afternoon of May 23, and after a careful examination and report by Maj. W. H. C. Whiting, as engineer, on 25th he reported to Gen. Lee that the place was untenable, and ought to be evacuated without delay. He showed that the force under his command ought to be a moveable column, and not tied by the leg to a stake; that the true defence of the valley and the northern frontier of Virginia could be best made by an army in the field, and not by fortified positions.

And here began the difference of opinion, and divergence of views, between Gen. Johnston and President Davis as to the strategy of the war, and the policy which ought to be pursued to secure peace and independence.

There was not an exact agreement between them as to existing conditions. Johnston believed that the resources of the North were inexhaustible. In arts and in arms, in men and in money, they could command the world.

While the blood of the North had been modified and diluted by the emigration and changed conditions of the preceding ninety years, still the dominating ideas, the heriditary instincts, the physical characteristics of the North, men and women, were in the main the same as those that had achieved their independence in the rebellion of 1775-81, that had constructed and operated the Constitution of 1787.

They were a brave, self-reliant, patriotic race, and while they did not have probably the same individuality

as the Southern people, in all the characteristics of manliness—perseverance, fortitude, courage—they were the equals of any race that ever lived.

The South, in Gen. Johnston's opinion, started out with fixed and definite resources. She had a certain balance in bank, and when that was exhausted there was no source from which it could be replenished.

She had a frontier extending from the Chesapeake to the Western line of Missouri to protect against the invasion of an enemy innumerable in numbers, inexhaustible in resources, untiring in energy, unflagging in courage. The number of men she could put into the field was fixed and certain; beyond that limit it was arithmetically impossible to go.

The North started with the difference of six to one against the South. As time went on and the waste of war was replenished on the one side and unrepaired on the other, that discrepancy was of necessity to be increased.

No mathematical proposition could be clearer than that, if the war was to be a trial of endurance, a struggle of numbers—that six must prevail against one, when six was to be increased to twelve and one to diminish in value. But in war, courage, genius, skill, audacity, sometimes compensates for discrepancies in force. Momentum is made of weight and velocity, and the lighter weight may have the greater momentum. At this early stage of the struggle, Gen. Johnston sought to impress his views on the Confederate authorities that the policy of defending posts, positions, lines and ports was untenable and could only lead to certain and irretrievable disaster.

RETREAT FROM YORKTOWN.

The fortification of positions, the marking out of lines of defense, gave the whole initiative of war to the antagonist. He was left at liberty to select the time, place and opportunity for attack, and to make the campaign on conditions of his selection.

Thus, with Johnston tied fast to Harper's Ferry, and Beauregard at Manassas, Patterson and McClellan could have combined at Winchester, corked Johnston up at Harper's Ferry, while with McDowell they could have swept the way to Richmond clear at Manassas.

The same criticism applies to Gen. Albert Sidney Johnston's position at Bowling Green, Kentucky.

President Davis did not agree with this view as to policy or strategy.

He was a trained soldier of long and wide experience. He had commanded Southern volunteers at Buena Vista, and he held a large and enthusiastic view of the capability of volunteers, especially of Southern men, inured to arms and accustomed to command a subordinate and inferior race.

He did not minimize the vigor and duration of the war, for from the first, while deploring the fact, he insisted that war must result from the attempt of the Southern States to amend and reform the Constitution of 1787, and that that war would be long, bloody and exhausting.

But President Davis though a soldier was an agricultural man; he did not fully estimate the enormous force and machine created by modern society, whereby one generation, or one country, can mortgage the future to

the rest of mankind for the supreme present. He believed that the supply of cotton was so necessary to modern commerce that the South, which controlled that supply, could dictate terms and require support from nations, whose industries were dependent on her agriculture.

He believed that with the strain on the credit of the North, its currency would depreciate, its expenses would increase, until, at last, its finances would break down, and that it would not be able to raise a dollar or a man. Wait, said he, until gold touches 250, and the great monied interests, which are behind this war, will cry for peace to save what they have left.

He did not appreciate, as none did, that the bondholders and contractors had got into the position that success only could save them from ruin, and they were forced by necessity to stake everything on success.

This divergence of view between the Confederate authorities at the very beginning of the war kept on widening, mutual confidence was absent, and the consequences to the cause of the Confederacy were prodigious and fraught with overwhelming evil.

It would seem to have been unavoidable. Mr. Davis and Gen. Johnston were both men of very positive character; both were soldiers of experience; both had thought over the problems of this war which they both deplored and both saw was inevitable, and when, therefore, they arrived at different conclusions on fundamental principles, it is not reasonable to expect either to yield. It was Johnston's duty to have given obedience,

prompt and ready. This he did. But he never changed the convictions of his mind as to the proper strategy for the struggle.

This is an unfortunate position for a soldier to occupy toward his superior. In the profession of arms, mind and muscle, body, heart and soul must always go together, and he who criticizes his commanding officer will impair his own efficiency, even though ever so zealous to contribute to the success of the common cause, the glory of one's country.

Gen. Beauregard had taken command at Manassas about a week after Gen. Johnston had assumed charge at Harper's Ferry, and by correspondence and staff officers a perfect understanding was arrived at, that the first one attacked should be supported by the other.

But Harper's Ferry was the place to be supported not to give support. It was an exposed point on the frontier, with its communications, and its base of supplies liable to be cut off on either side at any time.

On the 10th of June, Patterson advanced from Chambersburg to Hagerstown with eighteen thousand men. Hagerstown is six miles from the Potomac at Williamsport, and once across the river, Patterson would be as near Winchester as Johnston at Harper's Ferry.

At the same time came news that McClellan's advance had reached Romney. Romney is forty-three miles from Winchester, while Williamsport and Harper's Ferry are each about thirty miles from that point; a-half a day's march then by Patterson and McClellan would ensure their junction at Winchester and close Johnston in at Harper's Ferry.

On the 15th, the baggage and stores of the troops had been sent ahead. Almost every soldier had a trunk, many of them Saratoga trunks. The Confederates left Harper's Ferry and marched three miles beyond Charlestown, where they bivouacked for the night at Turner's Spring.

The next morning, information having been received that Patterson had crossed the Potomac and was advancing along the valley pike south of Martinsburg, Johnston moved across the country and took position at Bunker Hill to intercept him.

Immediately on receipt of the movement of McClellan, Col. A. P. Hill of Thirteenth Virginia, with Col. Gibbon, Tenth Virginia, and Col. Vaughan, Third Tennessee, had been sent to Romney to hinder, delay or prevent further move from that direction.

All day of June 17th the Confederates waited Patterson at Bunker Hill, in high spirits of another 17th of June at another Bunker Hill.

But Patterson recrossed the river, not on account of Johnston's demonstration, but because some of his best troops had been taken from him.

Gen. Johnston then proceeded to Winchester, where he took position on the valley pike three miles north of the town, and was soon rejoined by Hill, who had burned the bridge of the Baltimore & Ohio Railroad at New Creek and captured two guns and a set of colors, by the hands of Vaughan and the Third Tennessee. At Winchester the army was reinforced and reorganized.

Jackson's brigade, of Second, Fourth, Fifth and

Twenty-Seventh Virginia regiments, and Pendleton's battery. Bee's, of Second and Eleventh Mississippi, Fourth Alabama and Second Tennessee, and Imboden's battery. Elzey's, of the Tenth and Thirteenth Virginia, Third Tennessee and First Maryland, Elzey being colonel of First Maryland and senior colonel of the brigade and Groves' battery. And Bartow's, of Seventh, Eighth and Ninth Georgia regiments, First Kentucky and Alburtis' battery. Subsequently the Thirty-third Virginia was added to Jackson's brigade, the Sixth North Carolina to Bee's, and the Eleventh Georgia to Bartow's.

A fifth brigade was formed for Brigadier-General E. Kirby Smith, of the Nineteenth Mississippi, Eighth, Ninth, Tenth and Eleventh Alabama and Stanard's battery.

This force was known as the Army of the Shenandoah.

The twenty-five regiments named were reduced by mumps, measles and camp diseases, so that they averaged about five hundred effective men.

CHAPTER V.

THE BATTLE OF FIRST MANASSAS.

ON the 18th of July, 1861, the army of the Shenandoah was reposing in its camps in the beautiful fields on the valley pike north of Winchester; morning drill was over and there was nothing to be done but to get dinner, and smoke and sleep until the drums beat for afternoon drill. The men were busy over their skillets and "spiders" at innumerable fires along the lines, and the smell of savory cookery scented the air. In an instant a thrill pervaded everything. Not a word had been said; not a trumpet sounded; not a drum beat, but every one felt that something had happened. The Generals straightened up; the Colonels drew up their sword belts; the line officers kicked their legs and fell into groups, all in silent expectation.

Within three minutes orderlies from brigade headquarters stride up to regimental headquarters. The adjutants fly out, and in a moment the air throbs with the drum beat of the assembly. One all-pervading cheer; one thrilling yell in an anstant pervaded that whole army, and in an hour tents were struck, wagons packed and the brigades in column, their right resting on the road, ready for the word.

Down the dusty pike in the hot July afternoon; down the streets of gallant Winchester; sweethearts and wives waving encouragement and courage from every

BATTLE OF MANASSAS JUNCTION (BULL RUN.)

window. Not an order had given notice, not a word had been said, but every one knew that Beauregard had been attacked, and that they were marching to the firing.

When the army had become stretched out along the road so as to be clear of the town, the column was halted and an order read at the head of each regiment from Gen. Johnston, informing them that the battle had opened that day at Manassas, and that it was the duty of every man to "step out," so as to be there in time to share in the danger and the glory of the first Confederate victory.

But alas for enthusiasm and sentiment. The human machine has its limitations; some things it can do, and some things it cannot. Green men fresh from city pavements or country fields have tender feet, and tender feet become blistered, and men with blistered feet can't walk, no matter how hot the heart is, no matter how high the spirit is, when feet are one solid blister from tip of toe to end of heel, the most ardent patriot, the most chivalric knight will limp and halt and lay down in the road side.

The plan of the Generals was for Johnston to march from Winchester and strike McDowell on his flank as he moved against Beauregard.* The fact of the soldiers was, that their feet got sore after the first hour's march, and they couldn't get to Manassas in time to keep McDowell from routing Beauregard.

*General Johnston did not accept this plan of Beauregard. He thought the attempt of two converging armies of volunteers to attack involved too much risk, and he rejected its proficiency to concentrate his force before going to battle.

Gen. Johnston had never seen volunteers march. He had marched with regulars from Vera Cruz to the City of Mexico, and he had seen them start at a certain minute in the morning, halt at a certain minute for rest, resume the march and go into camp with the regularity of clock work.

But the volunteer had no idea of regularity. If there was a small stream across the road he would lay a fence rail over it and cross with great care, followed by ten thousand men after him. Each man would lose a minute, so that the last man would be hours behind the place he ought to have been in.

Jackson's brigade, afterward the Stonewall, famed in song and story, led and actually marched seventeen miles that day. The rest of the command only covered thirteen miles and went into camp.

It was now the night of the 18th, and Johnston was informed by Beauregard that the whole of McDowell's army was before him, and would attack on the 19th.

To march to Manassas with volunteers was plainly impracticable. So the head of the column was directed to the nearest railroad point, Piedmont, on the Manassas Gap Railroad, thirty miles from Manassas Junction.

Here Jackson and his Stonewall brigade was dispatched forthwith, and arrived at Manassas during the 19th.

Gen. Johnston and Gen. Bee, with the Fourth Alabama and Second Mississippi, and two companies of the Eleventh Mississippi, reached Manassas during the afternoon of Saturday, the 20th of July.

Gen. Johnston had been appointed a General in the Army of the Confederate States to rank from July 4, 1861. But the promotion had not been published in orders, and he had not been notified of it. Gen. Beauregard was a Brigadier-General, but in order to remove all doubt in every one's mind, Gen. Johnston, while *en route*, telegraphed the President to know what would be the relative positions of Gen. Beauregard and himself when their commands were united. To this the President replied:

RICHMOND, July 20, 1861.

GENERAL J. E. JOHNSTON,

Manassas Junction, Virginia:

You are a general in the Confederate army, possessed of all the power attached to that rank. You will know how to make the exact knowledge of Brigadier-General Beauregard, as well of the ground as of the troops and preparation, avail for the success of the object in which you co-operate. The zeal of both assures me of harmonious action.

JEFFERSON DAVIS.

Johnston reached Beauregard about noon of the 20th. He had come to the conclusion that their united forces ought to attack McDowell, for it was reasonable to expect that Patterson would not be over twenty-four hours behind Johnston, and they ought to beat McDowell before Patterson got up.

Beauregard at once assented to this suggestion, and submitted a map and order of march by which his command could be moved upon Centreville, McDowell's left.

He had chosen Bull Run as his defensive line, which was approved by Gen. Johnston.

Johnston directed copies to be made of the order of march in the attack to be made on Centreville, so as to be signed by himself and distributed to commanding officers. These copies were not completed until the morning of the 21st, and then turned out to be phrazed "By command of General Beauregard. Thomas Jordan, Assistant Adjutant-General."

Now, General Beauregard was a Brigadier-General and not a General, and the order ought to have been—by command of General Johnston, the ranking officer, who had no right to shirk his duty nor his responsibility for the conduct and operations of the two armies then consolidated for the battle. Gen. Johnston endorsed these orders in these words :

SPECIAL ORDERS NO.
HEADQUARTERS ARMY OF THE POTOMAC.

The plan of attack given by Brigadier-General Beauregard in the above order is approved and will be executed accordingly. J. E. JOHNSTON,
General C. S. A.

The military office creates and imposes certain duties, authorities and responsibilities as appurtenant to and inseparable from each rank in the service. The ranking officer is bound to command. He may direct his subordinate to take charge of one operation or all operations on the field. He may put him in charge of a corps, a division, or a brigade, but he cannot thereby escape the responsibility of his authority. He is in command; he is responsible; all acts done are his acts; all orders given are his orders. The form of papers issued and sent out to troops does not affect the substantial thing—

who is in command? Who has the rank which *makes* him responsible and makes it *his* duty to bear the responsibility, and not to attempt to shift it to subordinates.

As a matter of fact, and as a matter of military law, the General on the field must command the Brigadier-General. And as a matter of fact, the moment Gen. Johnston arrived at Gen. Beauregard's headquarters, his rank placed him in command and made him responsible for the whole conduct of operations.

Gen. Beauregard was a soldier of experience and genius, an old comrade of Mexican campaigns, and Gen. Johnston accepted his arrangements at once, and ordered them carried out.

General Johnston says: "As we were riding forward, General Beauregard suggested to me that I assign to him the immediate command of the troops engaged, so that my supervision of the whole field might not be interrupted. So he commanded the troops under me, as elsewhere lieutenant-general commanded corps and major-general commanded a division under me." General Beauregard is one of the most brilliant soldiers that war has ever produced.

His individuality, his personality, his dash at Manassas were beyond estimation. When the lines were falling back before the overwhelming Federal onset, he seized the colors of the Fourth Alabama and rode out in front and rallied the retreat and re-established the line.

His personal gallantry saved the battle and gained the victory more than any one incident of the day.

But Johnston was the superintending providence. At his place as general commanding, he issued the orders and moved the troops and directed the blows which produced the great result. It is unfortunate and fruitless that any discussion should ever have arisen between friends, comrades in arms, great soldiers, as to which one won the glory of the victory—there was enough for both.

But before any move could be made effective on the Confederate right to attack McDowell, it became evident that the Federal General had disarranged the best laid plans by himself taking the initiative and turning the Confederate left. He crossed Bull Run at Sudley ford, some distance above the Confederate left, and moving the head of his column straight from the ford, faced to the left, and marched direct on the left flank of the Confederates. This was not the battle as arranged at all; indeed, it was directly and perversely contrary to the preconcieved plan.

The Confederates ought to have turned McDowell's left and cut him off from Washington. McDowell was in fact turning, had turned, the Confederate left and was marching to cut them off from Richmond.

Bee, Bartow and Jackson from the Army of the Shenandoah were formed "a stonewall," right across the line of advance and held back the victorious lines.

Bonham, Holmes, Early and Ewell of Beauregard's Army of the Potomac were hurried from the right to reinforce the thin line of the Stonewall. Bartow had fallen, Bee had gone down, Johnson of Hampton's Legion

was dead, Hampton of the Lion Heart was badly wounded, and the future of the Confederate arms was in desperate straits, when far to the left came the whistle of the locomotive.

The train stopped where the Manassas Gap rail branches from the Virginia Midland, then Orange & Alexandria Railroad. It held Elzey's brigade, First Maryland, Tenth and Thirteenth Virginia, Third Tennessee. The booming of heavy guns could be heard way off toward the rising sun. Elzey got his troops out promptly, and was forming his regiments in the road, by the side of the railroad, piling their knapsacks in charge of a guard—when Kirby Smith dashed up in a strain, "The watch-word is Sumpter," he said. "The signal is this," throwing his hand over his forehead, palm outward, "forward, to the sound of the firing." Elzey's brigade was one of two which had been assigned to Kirby Smith as a division, and the latter assumed command as soon as it got within his reach.

The brigade moved through Manassas and out towards Young's branch, bearing to the left. Passing Cash and Kershaw's South Carolina regiments, it was led by Smith toward the left of the whole Confederate line, and Smith, having been shot from his horse, Elzey resumed control and directed himself still to the left. At length he struck the extreme left of the Federal line, crushed it like an eggshell, and the battle of First Manassas was won.

The troops, tired by their quick march of five miles, were utterly exhausted, and laid down by some captured

guns of Griffin's and Rickett's batteries. A half a dozen horsemen came rattling down the line, and the cheers which followed them, roused the men. When the word passed, "It's Jeff Davis, Johnston and Beauregard," a wounded boy raised himself on one elbow, took off his cap with one hand, swung it over his head—"Hurrah for Jeff Davis," he cried, and fell back dead. It was literally his last breath.

Elzey's brigade was at once moved over the stone bridge and for three miles toward Centreville, when about sundown it was ordered back and bivouacked on the east bank of Bull Run.

The men had been on their feet since twelve o'clock midnight of July 20-21, and had not had a mouthful during that eighteen hours of march, battle and excitement. About ten o'clock that night hard bread and ham, sent out by the forethought and care of Beauregard, were issued and the soldiers got "filled up."

CHAPTER VI.

THE CONSEQUENCES OF THE VICTORY.

IT must be borne in mind that no man on either side had ever seen so many men in battle before. Scott's army of occupation of eight thousand in Mexico, had been the largest number that any of them had ever served with. Johnston had never seen volunteers march or fight before, and his observation of their marching power on the route from Winchester to Piedmont, had convinced him that they were utterly incapable yet awhile of accomplishing any thing with their legs. President Davis, on the contrary, had not seen the army of the Shenandoah march, but he had seen the First Mississippi regiment, with him as colonel, march and fight at Monterey and Buena Vista.

While the one underestimated, the other exaggerated the value of the American volunteer.

It was not until after the Seven Days' Battles that the docility, the intelligence, the endurance of the Southern volunteer was appreciated by Gen. Lee. I do not believe that any Union general-in-chief but McClellan and Grant ever fully understood the value of the Northern volunteer. The fact that General Johnston did not accupy Washington in the few days after the rout at Manassas, force recognition by the foreign powers and achieve independence for the South, has been greatly complained of among the Confederates, and criticised in

the North, and by a foreign writer. President Davis has left on record his opinion that Johnston ought to have taken Washington, and that if he had acted on his advice he would have done so. The Count of Paris thinks that while he could not have taken Washington, he ought to have sent a few brigades across the Potomac to worry and harass the enemy.

General Johnston himself was satisfied of the wisdom of his course and never changed his opinion.

The light which time and experience throws over events and situations gives us clearer views that the actors had. Gen. Johnston was of opinion that his army, exhausted by the combat and the marching of Sunday, 21st, without wagons, rations, cooking utensils or shoes, could not have marched the thirty miles from the Stone Bridge to the fortifications of Arlington and carried them, nor have crossed the navigable Potomac, dominated by war vessels. But Gen. Johnston did not know, for at that time no one could know, the enormous force of *morale* in men, the prodigious power of enthusiasm.

When armies meet in death struggle, and one overcomes the other, the courage, the enthusiasm, the high spirit, the *morale*, which the beaten army looses is attracted to and absorbed by the victorious army.

The pursuit is always more capable of supreme effort than the retreat. The victor is stronger, more enduring, more spirited, than the vanquished. He can march farther, fight harder, eat less, sleep less, work more than his unsuccessful opponent.

Jackson was the first man on either side who discovered this fact and had a full appreciation of it.

On the night of July 21st, no one had any idea of the extent of the Federal rout. It rained all night after the battle, and at daylight of 22d, Col. J. E. B. Stuart was sent with the First Virginia cavalry and Elzey's brigade to Fairfax Court House. On that march, the symptoms of disorder were so remarkable that Stuart refused to believe the evidence of his own eyes. He suspected that a ruse was being used and a trap being laid. The road was filled with debris—perfect muskets, accoutrements, uniforms, suttlers' wagons, handsome carriages filled with the choicest delicacies for a *fete champetre;* in one place a soldier picked up twenty double eagles, dropped in a woodpath at a foot apart. At another place a man's arm was lying on top of the top rail of a fence, the most surprising collection of surprising sights that the eye of man ever saw. At Fairfax the court house was packed full of brand new gray overcoats and the yard full of new wall tents.

By the afternoon of the 22d, Gen. Johnston knew the extent of the rout. A year after he would have marched until the last man was barefoot; he would have crossed the Potomac at White's Ford—have taken Washington in reverse and by Thursday, July 25, he would have issued his orders from the White House in Washington. Marching toward the enemy, his men would have found shoes on the wayside, they would have picked up their rations on the march, they would have found everything that was necessary. They were green troops; that was the way to season them; they were inexperienced; that was the way to give them experience.

It is easy to see it now. It was almost impossible for Gen. Johnston to have understood it then.

Lee did it in September, 1862. But Lee and his army had had thirteen months of marching and fighting, to let the General know what his troops could do and make the troops understand what they were capable of. But Lee's army after the victory of second Manassas in August, 1862, when he crossed the Potomac, did not attempt to capture Washington.

He had beaten McClellan on the peninsula, he had beaten Pope at Manassas. His troops were composed of veterans, tough campaigners, of a hundred combats.

The sole defenders of Washington were the debris of beaten armies, who had never seen a line of battle of their adversary, without being driven back by it, and who had never had the inspiration of one small success.

Yet Lee, in 1862, preferred having his demoralized adversary in his rear, and advancing farther into the enemy's country.

We now understand that the capture of Washington in July, 1861, did not involve an attack on fortifications, nor the carrying of a bridge, nor the control of a navigable river. It did involve forced marches by green men, borne up by enthusiasm and capable under the excitement of the most extraordinary energy. It is easy now to see all this.

It was impossible to have seen and understood it on the 22d or 23d of July, 1861. With the experience of the generals and of their troops, officers and men, on the 22d of July, 1861, it seems now as if they did

everything that men could do according to their lights at that time, and it is fruitless now to attempt to apportion the responsibility for what was left undone; whether President Davis ordered, or advised, or expected an energetic pursuit and a prompt advance; whether General Beauregard or Johnston considered themselves constrained by the presence of the commander-in-chief from entire liberty of action, it is bootless to inquire or to determine.

General Johnston has definitely settled all such discussion by assuming the entire responsibilty for all the delay and non-action, and to the end of his life continued entirely satisfied with the wisdom of his course.

It may fairly be contended that if Lee in 1862, with a veteran army of victors, crowned with glory and imbued with the confidence of invincibility, could not or would not attempt to take Washington from the debris of the armies which he had been booting about Virginia for six months, certainly Johnston was justified in not attempting it with utterly inexperienced troops. I believe it could have been done, but no one had a right to believe so on the morning of July 22, 1861.

The consequences of the victory were not as damaging to the defeated, nor as advantageous to the victors as might have been expected.

The Northern statesmen recovered from their panic in marvelous brief time, and at once applied all the energy of their immense machine to support the war.

To make up the loss of the Southern market to the

Northern manufacturer, they gave him a new and better market in war expenses. To give work to unemployed labor, they paid bounties to recruits and premiums to substitutes.

The vigor of a democracy was never more vividly illustrated. The enthusiasm of the people took control of the last dollar and the last man, and then sent out into the world to borrow more men and money.

The influence on the South was not so invigorating. The Southern people for several generations had trained themselves into a vainglorious mood toward the Northern men.

They believed that they were inconquerable by the North, and that the men of the North were not their physical nor mental equals. The rout at Manassas seemed to justify their estimate of their value, and it was difficult to get States or societies to understand that the struggle had just begun. Manassas was considered to have demonstrated the futility of further effort to subjugate the South, and there was a sensible relaxation of the effort in the South. The Confederate Congress, nor the State governments, had the least appreciation of the necessity of finance to support war. They believed that supplies could be raised indefinitely by mortgaging the future, and never did understand that the power of borrowing on the one side was only created by the faith in payment, and that a debt created, with no security nor provision for payment, becomes at once a burden.

The Confederate government could have bought the

entire cotton crop for bonds. It could have transported it to Europe and created a fund of a thousand millions in gold, which would have floated four times that amount of bonds, have bought arms, fleets, moral support, recognition, independence. President Davis from the first had the clearest ideas of the necessity of the emergency. Lee and Johnston certainly understood it as well. But the brains of the South were in the army. Her leading men, her thinkers and statesmen were in the field in charge of regiments or brigades, consequently her Congress was inferior to the Northern Congress, and from first to last there was not a single man in the legislative department of the government who appreciated the tremendous problem before them.

The Confederate States were not crushed by overwhelming resources nor overpowering numbers. They were *out-thought* by the Northern men. The great brain of Chase, which conceived the financial system of the Union side, and the courage of Lincoln and the sagacity of Seward, administered the resources of the North and applied the machinery of currency, credit and industry, as created by modern civilization, in a way no Southern statesman was able to do.

The monopoly of the currency, that machine by which trade and commerce and industry lives, was invented by Chase and seized by the Federal powers and wielded with irresistible force and inexhaustible resources.

Therefore, the consequences of the rout at Manassas were rather favorable to the Federals and unfavorable to the Confederates.

CHAPTER VII.

THE LINES OF CENTREVILLE.

DURING the two or three days succeeding the battle, Gen. Johnston moved up to Fairfax court house, where he established the headquarters of the army and distributed the Army of the Potomac in a line of canonments extending from north of the court-house down beyond Fairfax station, on the Orange & Alexandria Railroad as far as Wolf Run Shoals. They remained there during the summer, being instructed by daily drills, marches and alarms.

In September, Beauregard, who was the spirit, the *elan*, the enthusiasm of the army, pressed down to the Potomac and occupied a line of hills from the south of Alexandria up, west and toward the north of that place. Mason's, Munson's, Upton's, Hall's hills were all occupied and held partly as points of observation, for from Mason's hill, Beauregard's signal officer could communicate with his comrade in Washington, and also for the purpose of exasperating the Federals into a fight. The first plan, as a signal station, succeeded admirably. From Mason's hill at night, flashes could be seen and sent from and to a house in Washington, from a room in the third story of which movements of a lamp conveyed messages to the Confederate station in Virginia. But as a challenge or a taunt the move was a failure.

McClellan was organizing his army, and could not be diverted to inferior enterprises.

His first business was to make an army a fighting machine, his second was to use it for great results. So while the occupation of the lines of Mason's, Munson's and Upton's hills added greatly to the *morale* or the self-glorification of the Confederates, the only substantial advantage they acquired was experience in marching, in bivouac and in prompt movement. During this period arose a controversy which was painful at the time, and never ceased to be the cause of soreness during the rest of the war.

When the thirteen Southern States withdrew from the Union of 1787-89, and amended the articles of Union and established a new Union under them, they expected that they would receive their proper part of the common property of all the States, their share of the army and navy and their proportion of the public lands and funds. The president nor Lee, nor Johnston, expected any such thing. They knew that there was to be a death struggle between the two systems, and that there was no alternative but independence or subjugation.

But the public expectation was that reason and justice would rule. Each State had had educated and trained at her expense, a body of skilled soldiers at the common military school of all the States. They occupied various ranks and posts of responsibility, from General Winfield Scott of Virginia, Commander-in-Chief of the Army of the United States and Joseph E. Johnston, Brigadier-General and Quartermaster-General of the Army of the United States, and Robert Edward Lee, Lieutant-Colonel of Dragoons, down to Lieutenant J. E. B. Stuart.

When the States undertook to separate themselves from the Union, they believed that their citizens in the army would, of course, follow their own people. And it was evidently neither just nor wise that soldiers, the breath of whose life was promotion, rank and consequent power, should be required to abandon the career of their choice and the results of the labors of life, and enter a new service on terms of perfect equality. Therefore the Confederate Congress, on March 14, 1861, first provided for the appointment of five officers with the rank of Brigadier-Generals, and in the same act declared that "in all cases of officers who have resigned or who may within six months tender their resignation from the Army of the United States, and who have been or may be appointed to original vacancies in the Army of the Confederate States, the commissions issued shall bear one and the same date, so that the relative rank of officers of each grade shall be determined by their former commissions in the United States Army, held anterior to the secession of these Confederate States from the United States."

The object of this law was to indemnify all citizens who left the service of the United States and entered that of the Confederate States by securing them, not the same rank, but the same relative rank, in the new service as they had enjoyed in the old.

It was not intended as a promise to General Scott, that if he would leave the Army of the United States he would be guaranteed the Command-in-chief of the Army of the Confederate States, for before that law

passed, March 14, 1861, it had been definitely ascertained and settled that General Scott would stay where he was. But it was at the same time equally understood that General Johnston and Colonel Lee would certainly resign, and take commissions under the Confederacy.

The act of Congress, therefore, was in substance an offer by Virginia and her co-States to Johnston, Lee and others—that if you will give up your places in the Army of the United States, we will guarantee you the same relative rank in the Army of the Confederate States. You, General Johnston shall rank you, Lieutenant-Colonel Lee, and you, Colonel Albert Sidney Johnson, shall rank you, Captain Beauregard. This was plain and understood of all men.

The five brigadier-generals under the act of March 14, with relative rank as provided by that act, were:

1. Joseph E. Johnston, (Brigadier-General U. S. A.)
2. Samuel Cooper, (Colonel U. S. A.)
3. A. S. Johnston, (Colonel U. S. A.)
4. R. E. Lee, (Lieutenant-Colonel U. S. A.)
5. G. T. Beauregard, (Captain U. S. A.)

These were the brigadier-generals appointed under the act of March 14, 1861, with their relative rank as fixed by that act.

On May 16th, the Congress passed another act, that the five Brigadier-Generals shall have the rank and denomination of Generals instead of Brigadier-Generals, which shall be the highest military grade known to the Confederate States. Therefore, under the law, the Brigadier-Generals were at once converted into Gen-

erals, Joseph E. Johnston being first, Cooper second, A. S. Johnston third, R. E. Lee fourth and G. T. Beauregard fifth. Thus far the point is too plain for discussion.

But when commissions were issued to these brigadiers turned into generals, the President nominated them to be generals in the Confederate service, first, Cooper to rank from May 16; second, A. S. Johnston to rank from May 28; third, Lee from June 14; fourth, J. E. Johnston from July 4, and fifth, Beauregard from July 21, the day of the battle of First Manassas. When General Johnston was officially informed of their nominations and the confirmation thereof, he was deeply wounded, and greatly offended, as he had the right to be. He then wrote the letter quoted in the first page of this memoir. "But," said he, "in order that sense of injury might not betray me into the use of language improper from an officer to the President, I laid aside the letter for two days, and then examined it dispassionately, I believe, and was confident that what it contained was not improper to be said by a soldier to the President, nor improperly said."

When General Johnston wrote his narrative in 1874, and his paper in Scribner's "Battles and Leaders," in 1886, he had only the last page of this letter. Mrs. Davis has given us the full text in her memoir, and I have inserted the leading part in the first pages of this memoir. Looking at it now, after the lapse of thirty years, it must be conceded that General Johnston was within his right.

He was the ranking officer who left the army of the United States, He was the only general officer who left that service.

He was the senior brigadier-general in the original organization of the army of the Confederate States, and by law, by logic, by justice, by the comradeship of arms, he ought to have retained his seniority when all the brigadiers were converted into generals.

He had a right to be indignant, and to express himself as he did at the treatment he had received. But at the very beginning he had differed radically with President Davis, as to the policy and strategy of the war, as has been seen, and it may well be that the commander-in-chief of all the armies was absolutely unwilling to have at the head of his army, an officer who differed with him so radically as Johnston did. Confidence is a vase, once cracked can never be made whole, and these two points destroyed the possibility of Davis and Johnston co-operating with cordiality and mutual forbearance. They were too much alike to get along. Each intellectual, thoughtful, full of ideas as of sentiment; each with the highest ideals of duty, of friendship, and of honor. If they had agreed they would have been inseparable in their ideas and their acts. Their union would have made a prodigious force for the Confederacy.

But they were each high tempered, impetuous, jealous of honor, of the love of their friends, and they could brook no rival. They required absolute devotion, without question. Neither could accord that confidence to the other, and they separated, and their divergence

widened every day until the convention at Durham's station.

During the month of September the Army of the Potomac was organized into four divisions, containing thirteen brigades. Major-General Earl Van Dorn commanded the first division of Bonham's, Early's and Rode's brigades; Major-General James Longstreet commanded the second division of D. R. Jones, Ewell and Cocke's brigades; Major-General Gustavus W. Smith had S. Jones, Toombs and Wilcox brigades, and Major-General Thomas J. Jackson (Stonewall) had the Stonewall, Elzey's, Crittenden's and Walker's brigades.

President Davis came to Fairfax on the last day of September, and called a conference with Gens. Johnston and Beauregard and G. W. Smith.

It was proposed to cross the Potomac at the fords above Washington, take position in the rear of Washington, and thus force McClellan out of his entrenchments and make him attack. The President demanded to know what force was considered necessary for such an enterprise. Smith thought fifty thousand would be enough. Beauregard and Johnston considered sixty thousand necessary. The Generals proposed that twenty thousand men should be taken from the seacoast of North and South Carolina and Georgia, and thrown into the Army of the Potomac, and with these reinforcements, they considered that results could reasonably be anticipated highly profitable to the Confederacy. But the President considered it impracticable to strip the

ports to reinforce for this move, and all idea of aggressive operations ceased for the season of 1861.

About the first of November the department of Northern Virginia was created, and Gen. Johnston assigned to the command of it.

It was composed of the valley district lying between the Alleghany and Blue Ridge mountains, commanded by Major-General T. J. Jackson.

The district of the Potomac, commanded by General Beauregard, extending from the Blue Ridge to Quantico, on the Potomac, and that of Acquia, from Quantico to the Chesapeake, commanded by Major-General Holmes. Major-General E. Kirby Smith, having recovered from his wound, reported for duty and was placed in command of the reserve.

The summer and fall of 1861 was employed in the instruction of the troops. They suffered severely from mumps and measles, and some regiments which had come up one thousand strong could hardly turn out enough effective men for camp guard.

By October 19, General McClellan, having progressed sufficiently with the organization and instruction of his army as to make it capable of movement and enterprises, General Johnston withdrew from his posts on the Potomac at Mason's and Munson's hills and his lines at Fairfax court-house to a position at Centreville, which was much stronger in front and less easily turned.

At this time the effective total of all arms in the Department of Northern Virginia capable of going into battle was forty-one thousand men. According to the

reports of Johnston's spies, the effective force of the Federal army opposed to him was one hundred and fifty thousand. The troops went into winter quarters in log cabins which they constructed along Bull Run.

During January, 1862, Gen. Beauregard and Major-Gen. Van Dorn were ordered to the Western army, and shortly afterward Major-Gen. E. Kirby Smith was sent to command the Department of East Tennessee.

While the organization was thus greatly interfered with by the transference of Beauregard, Van Dorn and Smith to other fields of duty, the *morale* of the army was radically impaired by unmilitary interference from the Secretary of War's Office at Richmond. A large body of the troops had enlisted for twelve months in March or April, 1861. As the period of their term approached, the men became more and more restless.

None of them contemplated leaving the field. Patriotism, pride and duty all combined to keep them up to the work of defending their homes. But they wanted to change their companies. They did not like their officers, or they wanted to change their branch of service. They were tired of walking and wanted to ride, or they were tired of grooming horses and wanted to go into the artillery and so forth, and so forth.

No man who was not present, and party to it, can appreciate the ferment that was going on in the Army of the Potomac in January and February, 1862.

Everybody was dissatisfied. The commissioned officers were uncertain in their positions, for they did not know whether they were to be retained in their places

in their companies, and their regiments. The men in the ranks were disorganized, because they were in a ferment for promotion.

Bad as the situation was from the necessity of the case, it was ten times intensified by the lack of discretion at the war office in Richmond.

While Johnston was trying to influence his people by the legitimate means of controlling his officers at Manassas, the war office was doing everything to disorganize his command and discredit him.

The Secretary of War would furlough whole companies without consulting the commanding General.

Johnston writes: "The Secretary of War has ordered a private soldier to be detailed on special duty, an order which I venture to say has never before been issued by by a Secretary of War in time of war."

The Army of the Potomac at Manassas, from being a highly organized, finely tempered machine in October and November, 1861, had become little better than a badly demoralized mob by February, 1862. I have known twenty-one men taken from one company, detailed by a special order of the department of war at Richmond, without reference to the Colonel commanding the regiment, or the captain commanding the company, much less the General commanding the army.

While this was going on with us, we had certain information of the progress of organization on the other side.

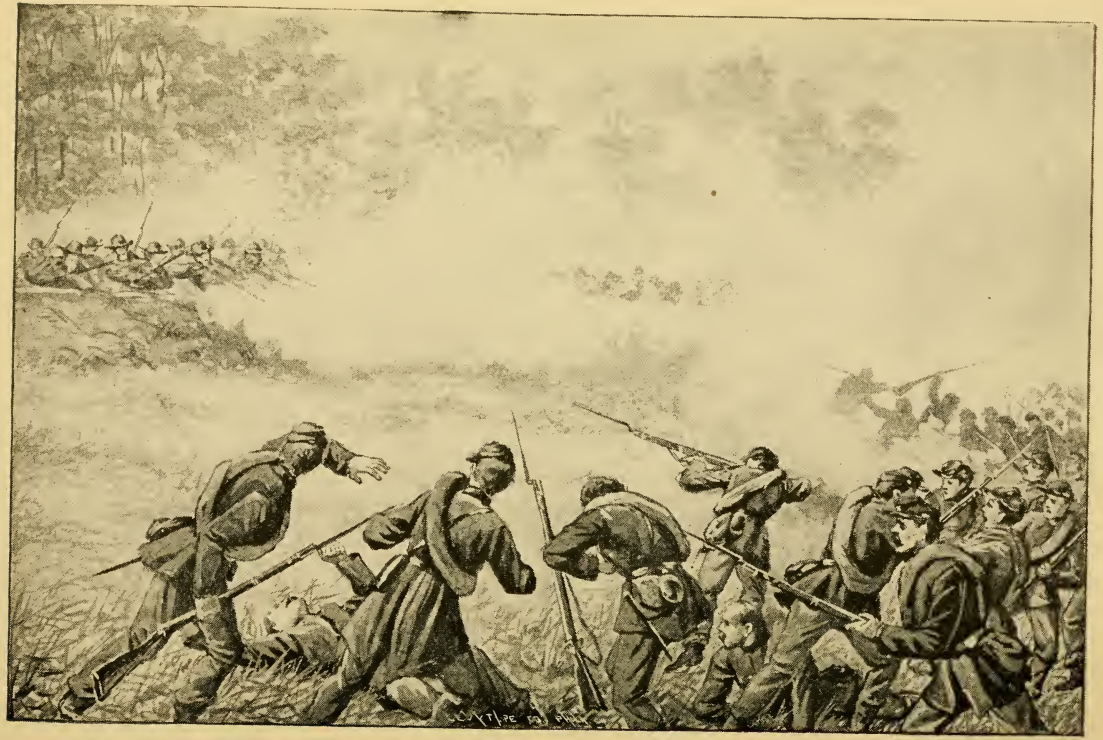
McClellan, beyond doubt, was a great organizer. He had the faculty of taking great bodies of men and

infusing into them one spirit, one idea, supreme confidence in himself.

He was not a great General. He will never compare with Marlborough or Wellington, or Grant, or Lee, or the great soldiers that the English race has produced in the last three centuries. He was eminently an intellectual man. He understood the mathematics of life. He knew that two and two made four, and given certain quantities of men, of weather, of roads, of human energy, McClellan was a great soldier. But he was utterly incapable of dealing with the "unknown quantity." He had no imagination. He could not project himself into the hearts and minds of his men so as to calculate or appreciate or estimate the value of enthusiasm with them. He thought he was a sentimental soldier. He believed he was a romantic knight. His conduct was keyed up to the highest point of sympathy, with chivalry, and honor, and generosity in war.

McClellan never struck a foul blow, and never tolerated mean men or mean methods about him. He generated and organized, and propagated an enthusiasm, a generous ideal of war, a high sense of chivalry, which is the duty of fighting the belligerent and sparing the weak, and he impressed on his Army of the Potomac the most intense feeling of personal devotion to him.

His fight at Sharpsburgh showed that. No man who ever lived could have taken the debris of armies, one of which had been driven from Mechanicsville to Harrison's Landing, another from Cross Keys and Port Republic to the mountains, another from Cedar moun-



BATTLE OF KENESAW MOUNTAIN.

tain, and then the whole three booted and kicked from Manassas to the fortifications of Washington; no man could have remodeled and remoraled these broken debris of armies from September 2, to September 15, 1862, and made them fight as he did, but a great soul. But McClellan fell below the measure of the greatest, because he did not know how to estimate the value of his own people and the force of his adversary at a given time.

Before Richmond in 1862, he certainly ought to have pushed forward and taken his adversary's base. At Sharpsburgh in September, 1862, he ought to have captured Lee's army, but his fine mathematical intellect too clearly appreciated the quantities of the problem; given so much force, so much will, so much numbers on one side, and an indefinite quantity of will on the other, he could not tell what the result of the collision would be. Therefore, he had no collision.

In August, September, October, November, 1861, he kept his raw levies in his camps. He drilled his men, he instructed his officers in never ceasing schools, where he made old soldiers drawn from all the armies of the world his drill masters.

He had the most accurate dress parades, he had the most regular reviews, and he sacrificed everything to the style, the pomp, the parade of war. The soldiers of fortune he drew to him from the refuse of the armies of the old world—the Sigeles, Blenkers, Sir Percy Windhams, all the adventurers from everywhere, knew more about drill and style and appearances than the American vol-

unteer. They were deficient in brains; they became rattled in battle, they had not the faculty of becoming cooler and concentrated in high excitement. The South had only a few of such men; the North had many of them, and not one stood the test of use and time, not one ever achieved any high renown or position.

While McClellan was thus organizing his raw levies on the Potomac, the War Department at Richmond was demoralizing Johnston's seasoned soldiers at Manassas.

Before the concentration of the Army of the Shenandoah with the Army of the Potomac, it had been discussed between Generals Johnston and Beauregard whether the line of the Rappahannock would not be a better line than that of Manassas and the Potomac.

A Federal column moving up the valley could cross the Blue Ridge at several passes—at Chester's Gap from Front Royal, or Brown's Gap to Madison court house, and would be two marches nearer Richmond than an army at Manassas Junction. And a movement to take up the line of the Rappahannock was being discussed when McDowell precipitated the decision by selecting Bull Run for the line of battle.

As the spring of 1862 advanced, it became clear that as soon as the roads would permit, McClellan must move. Gen. Johnston did not have a convinced opinion as to a Federal advance by land on the line of the Virginian railroads. The command of the water absolutely held by the Federals, and the navigable rivers which pierced the side of Virginia, the Potomac, the Rappahannock, the York and the James, gave at a dozen

points places for bases of operation which could not possibly escape the attention of McClellan.

One day a group of young officers were in Gen. Johnston's Adjutant's office at Centreville, and Col. George W. Lay, his aid-de-camp, was delivering a discourse on strategy. Lay had been Gen. Scott's military secretary and aid for years, and had probably as large a view of the science of war, and of this particular war, as any man living. He had the map of Virginia before him, and was demonstrating to his circle of ardent and inquisitive auditors the folly and impracticability of an attack on the lines of Centreville and an advance to Richmond by that route. The way to Richmond is this, said he, putting his finger on City Point, and Richmond can only be taken by an army operating south of the James.

Gen. Johnston had entered the room without attracting the attention of the absorbed auditors or the speaker. He here broke in: "Col. Lay, don't you think it unadvisable to make such a discussion ; you cannot know who may be evesdropping." And that conversation ceased.

But as the spring opened, Johnston apprehended that McClellan might march down on the north bank of the Potomac, pass his army rapidly across below Acquia creek, where he could move promptly to Fredericksburg, and would be three days nearer Richmond than Johnston.

Therefore, on March 9th, he withdrew from the lines at Centreville just as McClellan advanced to feel his force, and took position behind the Rappahannock.

McClellan replied to this move by transporting his whole army by water to York River, when Fortress Monroe gave him a fortified base, and Hampton Roads brought his supplies to his very camps.

The six positions selected by the Confederate administration to be occupied in force so as to protect Virginia from invasion, were Grafton, on the Baltimore & Ohio Railroad, west of Cumberland; Harper's Ferry to cover the Valley; Manassas Junction to protect the interior railroads; Acquia creek to cover the flank of Manassas; Yorktown and Norfolk.

Johnston objected to the strategy which endeavored to defend positions, and the event justified his judgment. The secession of West Virginia carried off Grafton without a struggle. Patterson's move to Williamsport gave him check at Harper's Ferry, and he was forced out of that position.

Now the movement of McClellan by the water route obliged the abandonment of the line of the Potomac, and no sooner had the design of the Federal General been developed, than it became clear that Norfolk and Yorktown must be abandoned.

An army on the peninsula, between the York and the James, is at the mercy of the power which controls the water. Cornwallis found it so. McClellan ought to have utilized his tremendous advantage instead of a laborious siege operation at Yorktown. He could have landed his army at West Point, forty miles from Richmond, or at City Point, eight miles from Petersburg, and from either place, with his communications abso-

lutely untrammeled, would have been free for a positive movement on the capital of his adversary. The Army of the Potomac had not got back to the Rappahannock before the appearance of McClellan on York river notified Johnston of his next move. He accordingly confronted McClellan at Yorktown, with the troops who had been observing him for the preceding six months on the line of the Potomac.

But before this, an incident had occurred which was fraught with grave consequences to the Confederacy. Before the 20th of February, Gen. Johnston had been ordered to Richmond to confer with the President, and on his arrival on the forenoon of the 20th, he had a prolonged conference with Mr. Davis and his cabinet at his office at what had been and is now the post-office and custom-house. The result of a discussion of several hours was that, without giving orders, Gen. Johnston understood that the army was to fall back as soon as practicable.

The dicussion was of course strictly confidential, yet on going straight from the meeting to the Spottswood Hotel, only two squares off, he was asked by Col. Pender, of the Sixth North Carolina, just arrived in the city on his way to the army, if he, Johnston, had heard a report, which he, Pender, had found in the house on his arrival, that the cabinet had been discussing that day, the question of withdrawing the army from the line then occupied.

Gen. Johnston accepted this rumor as proof positive of the indiscretion of some member of the cabinet, and never

thereafter gave his confidence to the President nor those in authority over him. He insisted that if his plans were communicated to anyone, they would immediately be made known to the Federal authorities, and thenceforward he steadfastly refused to take anyone into his confidence.

But in this instance, which was the foundation for his mistrust, he seems to have acted on insufficient evidence.

The fact that Col. Pender heard a rumor at the Spottswood Hotel that the cabinet had been in consultation that day about a withdrawal from Manassas, did not prove in the slightest degree that any one in that conference had mentioned anything outside about the subject matter of it. Two facts were notorious: Gen. Johnston had left the army and had come to Richmond. He had never done so since June, 1861. He had gone at once to a cabinet meeting, which was kept up for several hours.

It took no great imagination to discern that the commander of the army had been sent for, for conference, and that conference could only refer to a withdrawal of the army.

It would seem therefore that Gen. Johnston too hastily concluded that the indiscretion of the cabinet had exposed his councils, and it was extremely unfortunate that he should have come to this conclusion.

He withdrew his army from before McClellan, without the knowledge of his superior officer, and Mr. Davis says he met some artillery actually in the suburbs of Richmond before he knew that the army was falling back.

But behind it all was Johnston's sense of the cruel injustice which had been done him on the question of rank, and the absolute lack of confidence between himself and the President. He did not believe that Mr. Davis appreciated or understood at all the real conditions of the struggle. He believed that his large experience had qualified him far beyond the President to judge and decide as to proper measures and movements. He urged and insisted on certain views of policy. For instance, from Centreville he urged that his commissary be allowed to live on the country around and in front of his lines, because he said they will otherwise be ultimately lost. But supplies were collected along the railroad, hauled by his camps to Richmond, and the next week hauled back and issued to his troops.

He remonstrated at this maladministration, and he had no patience with it. Taking into consideration the inexperience of every one connected with the staff, it is remarkable how well it did its work, and it is not just to criticise it for inefficiency.

But Gen. Johnston had been Quartermaster General of the Army of the United States, a machine with the experience of ninety years, and the brightest intellects that had been applied to logistics at any time.

It is not beyond the fact to say that the trained and educated staff of the Army of the United States has never had, and has not now, its equal in the world. In intelligence, in education, in force, and in energy, it is without a peer.

It is the fashion to overestimate the great ability of

the German staff, and of Von Moltke and his school. But the soldiers trained at West Point, in brains, in acquirement in force, in capacity to do things, have never been equalled anywhere, and the first great trial of force this country is ever involved in will prove it again.

Gen. Johnston had been accustomed to the smooth working of the great machine of which he had been chief, and he did not make just allowance for the difficulties in taking clerks, young lawyers, absolutely inexperienced young men, and putting them in charge of duties, where exact obedience is the highest obligation.

The necessities of the situation compelled this, and the Confederate staff accomplished miracles.

No men ever did more with less means than they did. But the inefficiency of the staff in January and February, 1862, as the marching of the volunteers in July, 1861, exasperated Gen. Johnston, and the incident with Pender only assisted to aggravate the general situation.

As McClellan began to move on Johnston's lines at Yorktown in the most skillful and approved manner, and began to open his parallels of approach according to strictest rules of science, Johnston interested himself in committing McClellan to this method of operations.

Every day's delay cost the invading army in money and men and means, and if McClellan could only be induced to dig his way to Richmond, it was supposed that, while it would gratify his scientific aspirations, it would not greatly incommode his adversaries.

Yorktown is on the south side of York river, on the

peninsula between the James and the York; at the end of the peninsula, the point between the Chesapeake and the James, is Fortress Monroe, a place heavily fortified and with deep water approaches.

McClellan had landed about 100,000 effectives on the peninsula for the movement on Richmond. When Johnston assumed command, he had probably 53,000 effectives. But Johnston knew the map of Virginia as well as any man who ever lived. He knew the navigable waters penetrating her eastern side, and was perfectly acquainted with their depth and capacity. He knew before he went to the peninsula, that it was utterly untenable. The Union general had absolute control of the water. York was already in his hands. The James would be when he required it.

The Confederate line, extending across the narrow neck of land between the York and the James, could be flanked whenever he chose to do so. He could occupy Gloucester Point on the north side of the York, land a proper force there, march to West Point absolutely secure from attack; or he could move up James river and seize a point west of the Chickahominy, and by either move, would have his army nearer Richmond than Johnston.

Besides this, McDowell, with 38,000 effectives, was at Fredericksburg, eighty miles north of Richmond, as near that point as Johnston found the Confederate army. The first thing to be done then was to withdraw and place his force in such a position as could meet an advance, either by the York or the James, or by both, as

well as guard against McDowell. This withdrawal was effected with promptness and skill. The Confederate rear guard covering Johnston's trains was fiercely assailed by the Union advance, and after a bloody fight on May 5, 1862, at Williamsburg, captured four hundred unwounded prisoners, ten colors and twelve field pieces.

The Confederates slept on the field of battle, and though in some accounts on the Union side this affair is claimed as a great Union victory, the fact is that the Confederates captured and carried off the trophies of battle, slept on the field and marched off the next morning at their leisure and convenience, and did not have a shot fired at them for weeks.

The Chickahominy is a stream flowing from a point north of Richmond in a southeasterly direction, its nearest point three miles from the suburb of Richmond. For the first part of its course it is an insignificant *branch*, in the Virginian vernacular, a small stream everywhere fordable. But it drains an extensive watershed of hilly, rolling country, and a hard rain raises the stream and floods its banks for hundreds of yards on each side with a prodigious quantity of water. The stream will rise ten feet in two hours. On occasions, and what was at noon a pretty, sluggish brook, by sundown will become a turbid torrent, more than a mile wide, unapproachable by any ordinary means of transportation.

Numerous bridges and fords along the upper part of the Chickahominy afford easy access across it. In its

ordinary stages it opposed no great obstacle to movements from either side, but after a hard rain up the the country, it became a serious consideration in moving or feeding or fighting an army.

Johnston withdrew from the peninsula, and took position on the right or southern and western side of the Chickahominy. He placed a brigade at Hanover court-house, fifteen miles north of Richmond, to keep a watch over McDowell, and another at Gordonsville, to protect his railroad communications with the Valley of Virginia, and the army under Jackson there being collected.

He urged upon President Davis and Gen. Lee, who was acting as the President's military counsellor, the paramount importance—first, of drawing McClellan as far from his base as possible. This he had accomplished by making him follow to the Chickahominy. Second, of concentrating all the troops of the Confederacy into one army of overwhelming numbers, and with that falling on McClellan and crushing him. Nothing was to be left to chance. But he insisted that Charleston, Wilmington, Savannah and Mobile should be stripped of troops, and that McClellan's destruction should be made certain, absolutely, mathematically certain, as could have been done had Johnston's urgent appeal been consented to.

But neither Mr. Davis nor Gen. Lee were willing to give up the ports, their only access to the world, and through which alone could cotton be shipped to purchase ships, arms and supplies, and the articles purchased brought into the Confederacy.

Johnston insisted that if he did not crush McClellan the ports would go anyhow; if he did crush his adversary the ports would promptly fall back into the hands of the victors.

It was the old difference about defending lines and positions, and protecting the country from invasion. Johnston insisted that that was antiquated war. It had been practicable under the old conditions, but that with modern arms and movements and ideas, when promptness is the first requisite, when celerity is one of the highest military virtues, when an army accomplishes as much with its legs as with its hands, other methods of applying the principles of war must be devised.

The medieval knight, with two hundred weight of iron on him, and another on his horse, mounted on an immense cart horse, of heavy draft, to carry such a burden, armed with a sixteen-foot pole and an iron-bound maul, called lance, and battle axe, would have stood no chance with one of Stuart's horsemen. A light cavalryman of the First Virginia would have ridden around King Arthur or Sir Launcelot half a dozen times, while the knight was bracing himself up for action, and the Chicopee sabre would have searched out the joints under his chin, or his arm, or above his sword belt, and would have shucked him like an oyster before he could get his lance in rest.

The Spaniards, said Johnston, are the only people who have attempted to defend fortified lines and positions covering a country in modern war.

We must use all our resources. We must make up n

celerity what we lack in numbers. Increase the velocity, and the inferior weight will have the greater momentum. This was the argument, and his statement of the case. But Mr. Davis and Gen. Lee were unable to agree with him.

Some brigades were brought from Norfolk and North Carolina, and by the latter part of May his force was increased to 74,000 effectives. McClellan moved up and occupied the opposite side of the Chickahominy. There were two things to be prepared for by him. One was to reach out and take McDowell by the hand at Fredericksburg, so that when he was ready to strike, he might have McDowell's force crushing in Johnston's left. Another and equally important matter was that the army in the valley under Jackson should be prevented from reinforcing Johnston.

He was first to secure McDowell's reinforcement for himself, and second to prevent Johnston from having Jackson.

He exactly failed in both, and failed because Johnston's precise knowledge of the art of war was larger than his.

Johnston knew the valley. He had studied it when he was at Harper's Ferry in June, 1861. He appreciated the value of the parallel mountain chains of the Blue Ridge, the Massanutton, and the North Mountain, which might be used as curtains, behind which great movements could be concealed, or as fortifications to protect the flanks of an advancing or retreating army.

If the valley could be utilized for disarranging the

Federal plan of campaign, Johnston would be afforded an opportunity of crushing McClellan before McDowell could reach him.

Jackson had about 7,000 men, and was soon reinforced by Ewell with 8,000 more.

With his own force he attacked and drove back Milroy at McDowell on May 8; reinforced by Ewell he attacked and routed Banks at Strasburg and Winchester, May 24; he threatened to cross the Potomac and take Washington in rear May 26th and 27th.

In the meantime, while these events were transpiring, McClellan was not idle. He sent Fitz John Porter on his extreme right to open communications with McDowell. Porter attacked and defeated Branch at Hanover court-house, and took possession of the bridges below Hanover Junction where the railroads from Fredericksburg and the Valley of Virginia intersect each other and cross the North Anna, the Middle river and the South Anna over six high, long wooden bridges. There Porter found McDowell's scouts, and the way was therefore open. Why he did not burn the bridges he does not explain, but it is inferred that he proposed to keep them for the use of McDowell. In fact he did preserve them for the use of Jackson. He reported that he had destroyed all of the bridges by the hands of Major Lawrence William's Sixth United States Cavalry. But he is mistaken; some, not all, were burned, and the way to the valley was left intact.

On the 22d of May, McClellan had crossed Heintzleman's and Key's corps to the west side of the

Chickahominy, leaving Sumner, Franklin and Porter's corps on the east or north side. Heintzleman and Keys immediately began to intrench, advancing as they dug. They came on step by step, forming four lines of earthworks of a division each, and made themselves reasonably secure. Bottom's bridge is over the stream only a short distance below the point where the York river railroad crosses it.

The other three corps of the Army of the Potomac, Johnston hoped and expected, would be separated from the two corps by a dangerous and treacherous river, and by a constantly increasing interval which would give him the opportunity to beat one wing before the other could come to his assistance.

The attack by Porter on Branch at Hanover court-house, seemed to give the waited-for opportunity, especially as Branch reported on the 27th that McDowell was in march to grasp Porter's extended hand. It was therefore of pressing importance that McClellan should be attacked before his disconnected wings could be united, and before this great reinforcement could reach him. On the 28th, Johnston made arrangements to attack McClellan's right wing, by passing A. P. Hill over the Meadow bridge for that purpose. G. W. Smith and A. P. Hill were to strike the extreme right, Magruder and Hughes crossing the Chickahominy at the New Bridge were to interpose between the Federal left wing and the Chickahominy, while Longstreet and D. H. Hill were to attack the two advanced corps, thus cut off from their supports. During the night of the 29th, Gen.

Stuart brought information that McDowell had moved back to Fredericksburg. In point of fact, Jackson's demonstration that day and the day before on the Potomac at Williamsport, Sheppardstown and Harper's Ferry, had panicked the authorities at Washington, and they had pulled McDowell back to the defence of the capital. Neither Jackson's movements, nor the reason for McDowell's, were however known at Johnston's headquarters on the night of May 29.

It was only certain that there was no immediate stress to attack, so as to be ahead of McDowell, and reverting to the mathematics of battle, to which Johnston's mind went with the precision of an operation of nature, he determined that there was no use fighting McClellan's whole army, when he had two-fifths of it cut off and detached and separated to his hand. So A. P. Hill was recalled, and recrossed the Chickahominy without having been discovered.

On May 30, Johnston struck out a terrific blow with his right. He precipitated twenty-three of his twenty-seven brigades upon Heintzleman and Keys. Longstreet was in main charge, owing to the location of his troops, although G. W. Smith was entitled to it on account of his rank.

The other four brigades were observing the river, from the New bridge up to Meadow bridge.

After the disposition for the attack had been made, the orders of battle copied out and distributed, and the Major-Generals instructed in personal interviews with the General commanding, it came on to rain, in that

phenomenal manner, in which it sometimes does rain in Virginia.

The placid Chickahominy spread itself out from a-half to two miles wide, and every little rivulet and spring branch which contributed to it assumed embarrassing proportions.

The swamps became bogs, the streams serious impediments, for no man can tell the depth of water which spreads over a hundred yards of meadow.

The attack was intended to have been made early in the day. The troops did not actually get into collision until 3 P. M. The atmosphere was in such a peculiar condition that although Gen. Johnston was only three miles off, on a hill, waiting to hear Longstreet's attack, the first musketry he or the staff heard was at 4.30 P. M., when there had been a terrific battle of infantry raging for an hour and a-half.

The onslaught of Longstreet drove back the first line, the second line, the third line, all the lines of the Federal army. They were routed, rolled up, disorganized. At nightfall came Sumner, over the flood and the swinging bridge, to the assistance of his comrades. But he was too late, the battle was irretrievably lost before he got up.

About 7 o'clock P. M., that is, on May 30, about sundown, Gen. Johnston naively records, that he received a slight wound in the right shoulder from a musket ball, *and a few moments* after was unhorsed by a heavy fragment of shell which struck his breast. Now this is an uncommon incident.

No great soldier that I can recall ever got struck by a musket ball, and a few minutes after was knocked off his horse by a fragment of shell. Colonels often meet with such casualties. Its their business to be with the line of fire. Brigadier-Generals sometimes get hit in this way, Major-Generals rarely, but Commanding-Generals never before.

The responsibilities of rank are well defined. The larger the responsibility the more valuable the life that bears it becomes. If a thousand lives depend on the officer, his life is a thousand times as valuable as that of any one of the men in line.

It is the duty of inferior officers to lead their men, of superiors to keep their heads cool, and to invigorate and strengthen the people under them by the consciousness of being directed and moved by a higher intelligence; therefore, it has got to be an axim, that the General in command must not go under fire.

Napoleon is said to have done it at the Bridge of Arcola, but he was then young and inexperienced. He ought to have had fifty captains or twenty colonels who would have led that charge.

Gen. Lee certainly attempted to do it at Spottsylvania, when his lines were carried with a rush, and Grant was pouring Hancock's corps through the gap on him. He headed the Texans then, for unless he then and there saved the battle, his life was of no value to his army, for that would have been gone.

But the chivalric instincts of those veteran heroes corrected that false move. "Go back," said they, "go

back, we'll attend to this," and a private in the ranks, seizing his horse by the bridle, led back the commander-in-chief of the army submissively, obeying the order of the men in the ranks.

At the battle of Seven Pines there was not the same experience. It was really the first close and bloody fight of the war, and Gen. Johnston had no business being in a place where a piece of a shell knocked him off his horse, a few moments after, being struck by a musket ball. He had no right to be within musket range.

But it must be borne in mind, that he was handling the hope of the Confederacy in its struggle with the supreme effort of the Federal side; success was life and failure was death; and by his constant presence with the troops, he gave confidence and encouragement to men he had already come to value as the most dashing, as they were the most enduring of soldiers. Johnston was carried from the field, and G. W. Smith, the ranking Major-General, assumed command that night and until noon, May 31, when Gen. Lee was assigned to command the army.

When Johnston was wounded, the fighting was over for that day. The next day, Sunday, the Confederates gathered three hundred and fifty prisoners, six thousand seven hundred muskets and rifles as good as new, a garison flag and four regimental colors, with a great quantity of ordnance commissary, quartermaster and medical stores and tents.

The Chickahominy was high, and the two parts of the Federal army separated by it, and Johnston at Rich-

mond fretted because the attack was not pushed. The Confederates had thirteen brigades, some of which had lost tremendously, but they had beaten, routed and demoralized two Federal corps.

Sumner's corps, which had crossed to their assistance, was six miles off at Fair Oaks. And the Confederates could have defeated Sumner before Heintzleman could get to him, and then have used up Heintzleman and Keys at their pleasure.

But the loss of the commander-in-chief in battle disarranged everything. Plans that had been thought out for days and nights, movements that had been worked out by measurements of time and distances, all the parts of that most exquisitely constructed machine, an army, which are in entire and perfect control of the general, must be taken up anew by his successors. As a general thing, the adjutant-general of the command is better qualified to take charge of an army in battle when the commander-in-chief is lost, than any subordinate general, no matter how well qualified. G. W. Smith was a soldier of the highest accomplishments. His natural ability was exceeded by no one on either side, but the twenty hours in which he was in supreme command gave him no chance to take hold of his weapon and wield it as he could have wielded it. If Johnston had not fallen on the 31st of May, Sumner would have been destroyed, and both Heintzleman and Keys would have been captured. Holmes and Ripley brought up eight thousand men on June 1st, and with this reinforcement to the Confederates, McClellan would never have changed his base.

This is speculation; but Johnston had arranged the campaign, had placed the troops, had accomplished everything he had undertaken, and it was his plan to keep McClellan divided, and to destroy him in detail. It can fairly be inferred that he would have succeeded. But Johnston's chaper of Virginia history was closed. He never afterward commanded troops in Virginia. His Army of the Potomac became the Army of Northern Virginia under Lee, and Johnston did not report for duty until November 12, 1862.

This battle, called by the Federals Fair Oaks, and by the Confederates Seven Pines, was one of the closest, most hotly contested, and bloody of the war. On the Federal side were the Second Army Corps, Brigadier-General Sumner; Third Army Corps, Brigadier-General Heintzleman, and Fourth Army Corps, Brigadier-General Keys, with an aggregate present for duty of 51,543. Johnston's whole army showed, on May 21, present for duty 53,688. The three divisions actually in battle, Longstreet, D. H. Hill and G. W. Smith, contained an aggregate of 35,559. The Union troops actually engaged on June 1st, was about 14,000.

The Confederates were about 8,300. In the two days fighting of May 31st and June 1st, the Federal loss was 5,031, and the Confederate loss 6,134.

Anderson's North Carolina Brigade lost 740 out of 2,065. The Sixth South Carolina, out of 521 taken into action, left 269 on the ground. The Twenty-Seventh Georgia, out of 392, lost 145, and out of the color guard of the Fifth South Carolina of eleven men, ten were shot down.

CHAPTER VIII.

THE ARMY OF THE SOUTHWEST.

ON November 24th, 1862, Johnston received orders assigning him to the command of the departments of Gen. Bragg, Lieut.-Gen. E. Kirby Smith, and Lieut.-Gen. Pemberton. Bragg's army had just returned from his Kentucky campaign, and was at Murfreesboro, in observation of the army of Gen. Rosecrans near Nashville. Pemberton had garrisons at Vicksburg and Port Hudson, and an active army of twenty-three thousand men on the Tallahatchie, watching Grant with forty-three thousand men at Holly Springs.

Lieut.-Gen. Holmes had about fifty-five thousand men at Little Rock, on the west side of the Mississippi. Johnston proposed to Randolph, the Confederate Secretary of War, that Holmes should be ordered across the Mississippi to unite with Pemberton, that he, Johnston, with this combination of seventy-eight thousand men, would fall on Grant and extinguish him, and then uniting with Bragg they would move on Rosecrans and overwhelm him.

Mr. Randolph showed Johnston an order which he had prepared, anticipating his application, and directing the exact movement that he had just suggested; but at the same time he showed him an order by the President countermanding that by the Secretary of War.

In a few days Randolph resigned, whether on account

of this incident I do not know, but Johnston went to the Southwest without that firm support that a commanding officer ought to have in the high councils of his superiors.

Owing to railroad accidents and delays, Johnston did not reach Chattanooga, which had been designated for his headquarters until December 4.

In a few weeks President Davis visited the armies in person and had personal interviews with Johnston, Bragg and Pemberton. He advised that Johnston should reinforce Pemberton from Bragg, Johnson insisting that Pemberton's reinforcements must be drawn from Holmes in the trans-Mississippi ; that the battle for the redemption of Missouri and the security of Arkansas and the retention of the Mississippi must first be fought against Grant, and then against Rosecrans, and that Holmes must be brought across the river and united with Pemberton. It was the old difference of opinion, the original divergence between the President and Commander-in-chief and the head of the second army of the Confederacy. One was for holding on to lines, and protecting territory, the other was for abandoning territory, concentrating on interior lines, destroying his enemy, in detail, and thus eventually securing the country, and positions abandoned, to accomplish this result. Mr. Davis finding Johnston impracticable, ordered a division from Bragg to Pemberton, and the order transferring Stevenson's division from Murfreesboro to Jackson with McCown's brigade was actually issued in the name of the President, and not in the name of the general commanding. This was discourteous— was temper. It

could only indicate a condition of things which must inevitably lead to disaster. Johnston ought to have been made to issue the orders required of him, or he ought to have been relieved. No order ought to have gone over his head to any subordinate.

The President met the General Assembly of Mississippi about 19th December, where it had been convened by Gov. Pettus, for the purpose of calling out the whole military force of the State to support Pemberton. Johnston found the fortifications at Vicksburg, and as he saw by a map of them those at Port Hudson, so large that they each required twelve thousand five hundred men to hold them.

Grant was between the two armies of Pemberton and Bragg, with a force superior to either of them. There was danger that he would destroy them in detail, and then capture Vicksburg. Finding himself unable to carry out the strategy which he believed was the only safe policy, and being incapable of converting the President to his views, Gen. Johnston requested to be relieved from the responsibility for two armies so widely separated as Pemberton's and Bragg's. The President declined to gratify him, for the reason that the field of operation was so far from the headquarters of military affairs, it was necessary to have an officer of sufficient rank, to supervise, and direct, near to the scene of operations.

As soon as Rosecrans heard of the detachment of troops from Bragg to Pemberton, he moved out to attack the former. This he did on December 31, 1862, and

the battle was continued during the 1st, 2d and 3d of January. Bragg, on the next day, withdrew across Duck river.

At this battle of Murfreesboro, Bragg reports his force at thirty thousand infantry and artillery and five thousand cavalry, and his loss at ten thousand, including twelve hundred severely wounded and three hundred sick left in Murfreesboro.

He captured "over thirty pieces of artillery, six thousand prisoners, six thousand small arms, nine colors, ambulances and other valuable property," and destroyed eight hundred loaded wagons.

Rosecrans reports that he had forty-three thousand four hundred infantry, of whom nine thousand two hundred and sixty-seven were killed and wounded, and three thousand four hundred and fifty were made prisoners, a total loss of twelve thousand seven hundred and seventeen.

January and February were occupied in directing Pemberton in resisting a movement against Vicksburg by way of transports up the Yazoo; in organizing a body of cavalry and sending it into Tennessee under Van Dorn to occupy territory there, so as to enable Gen. Bragg to feed his army from that quarter, and in dispatching Wheeler with his cavalry to break the Federal communications northward from Nashville.

On March 9th, Johnston was ordered to relieve Bragg, to take command of his army, and direct him to report to Richmond.

On reaching Tullahoma, on the 18th, he assumed

command of the army there, but did not communicate to Bragg the order directing him to report to the war department, because Mrs. Bragg was very ill and her death momentarily expected.

In a few days Johnston became so seriously ill as to incapacitate him for duty, and Bragg resumed command of the Army of Tennessee.

The Mississippi river was controlled by the Federals from its mouth to Port Hudson, and from Vicksburg north. That part of the river between these two fortified positions was open to the Confederates, and was the route by which communication was had with the trans-Mississippi.

About the middle of March some Federal gun boats ran by the batteries at Port Hudson, and thus the value of the two fortified points on the river was greatly impaired, if not entirely destroyed.

Grant, on the western side of the Mississippi, was employed in cutting a canal, so as to enable transports and gunboats to get by the batteries of Vicksburg.

By the middle of April this enterprise was abandoned, and Grant marched his whole army to a point on the west bank below Vicksburg and above Port Hudson. His war vessels and transports then ran by Vicksburg in the night.

Grant promptly crossed to the east side and began at once a series of movements and maneuvers, which, for vigor, skill, genius and courage, have hardly ever been equalled, and certainly never excelled. He moved promptly in the rear of Vicksburg, isolated it from all

reinforcements, and in due course reduced and captured it.

On May 9, Gen. Johnston was ordered to "proceed at once to Mississippi, and take chief command of the forces there, giving to those in the field, as far as practicable, the encouragement and benefit of your personal direction." He replied: "Your dispatch of this morning received. I shall go immediately, although unfit for field service." He left in the next train for Jackson, where he arrived on the evening of May 13. He immediately telegraphed to the Secretary of War: "I arrived this evening, finding the enemy in force between this place and General Pemberton, cutting off the communication. *I am too late.*" Johnston found in Mississippi, subject to his orders, and which could be concentrated, combined and organized into an army, about 25,000 men of all arms. They were at Canton, at Jackson, and at other places. All supplies of ammunition and material were shut up in Vicksburg and Port Hudson. Johnston was obliged, not only to organize, but to provide transportation and supplies of all sorts for an army. On June 8th he reports that "the artillery is not yet equipped."

In the meantime Grant had invested Vicksburg, and protected himself with intrenchments from attack by Johnston. The latter informed the War Department that there was no hope of saving Vicksburg, that the only thing practical that could be done was to save Pemberton's army. But it would require the whole of Bragg's Army of Tennessee to be given him, to enable

L of C.

him to beat Grant, and such a movement of Bragg's army would be equivalent to giving up Tennessee. The government must take the responsibility, and be the judge of what was best.

It was the old question of abandoning territory to combine on the enemy, and the old question was answered in the old way. Vicksburg was lost, and with it Pemberton's army.

CHAPTER IX.

THE VICKSBURG CAMPAIGN.

GEN. Johnston was directly charged by President Davis with being responsible for the disaster at Vicksburg and the loss of Pemberton's army. It is proper, therefore, to examine the operations of the campaign in Mississippi, and to make clear what did occur, what did not occur, and what were the moving causes for events there. The control of the Mississippi river, early in the war, became a prime object in the strategy of the Federal generals. This obtained by their arms, the Confederates would be divided, and the vast territory of Louisiana, Texas, Arkansas and Missouri, rich in supplies of material and men, would be cut off, and could be overcome and reduced in detail.

The possession of the river was thus of incalculable importance to the Confederates. They raised, organized and established an army of 55,000 men under Lietenant-General Holmes in the Trans-Mississippi Department, with headquarters at Little Rock, the capital of Arkansas, and an army in Louisiana under Major-General Dick Taylor.

They fortified the positions at Vicksburg and Port Hudson on the east bank of the Mississippi, about four hundred miles apart by the river, and one hundred miles by the roads on the east side. The course of the Mississippi is the most tortuous in the world. Its current flows in every direction—south, east and west.

Where its immense flood has cut away a bank of alluvion until it reaches a rocky bluff, it turns short round on itself, and flows back in the direction from which it comes, thus making loops, miles in extent, but the sides of which are only a few miles apart. Vicksburg is situated on a high bluff at the end of one of these loops.

In the Northeast section of the State of Mississippi rises the Big Black River, which flows in a Southwesterly course until it empties into the Mississippi, just above Grand Gulf, probably seventy miles below Vicksburg by land.

The Yazoo flows from the Northeast, and enters the Mississippi nine miles north of Vicksburg.

Lieutenant-General John C. Pemberton commanded the Confederate Army of Mississippi, and the posts at Port Hudson and Vicksburg. He had six thousand men at Port Hudson, under Major-General Gardner, and about twenty-six thousand under his direct command, of whom at least six thousand were required to garrison Vicksburg.

It was conceded by the Confederate officers that twelve thousand men to each place would be necessary to hold the fortifications at Port Hudson and Vicksburg. Those lines were too extensive for the purpose of their creation. They ought to have been more contracted, so as to concentrate their fire to hold the river.

The city of Jackson is fifty miles east of Vicksburg, connected with it by a railroad, which was extended beyond the Mississippi to Shreveport, in the interior of Louisiana.

The Federals held the river north of Vicksburg and south of Port Hudson. The Confederates used the intervening stretch of water to communicate with their Trans-Mississippi Department.

In the campaign of 1862, Major-General Ulysses S. Grant had acquired reputation by his reduction of the forts on the Tennessee, and the force and vigor of his operations. To him was assigned the task of opening the Mississippi, and the boundless resources of his omnipotent government were placed at his disposal.

On October 25th he was assigned to command of the Department of the Tennessee. His force, in round numbers, consisted of 48,500 effectives. But they were scattered from Cairo in Illinois to Corinth in Mississippi.

On the 2d of November, 1862, he moved for the reduction of Vicksburg, and the opening of the Mississippi, from Jackson in Tennessee with 30,000 men. Pemberton, with about 20,000 men, was fortified at the Tallahatchie river, and occupied Holly Springs and Grand Junction on the Mississippi Central railroad.

He pressed down on Pemberton on the Tallahatchie, turned his position and forced him to fall back. In accordance, as Grant says in his memoir,* with a venerable axiom in war, he had established his depot of supplies at Holly Springs in his rear, to which everything necessary for his army was hauled by railroad from the North, and from which he was fed and furnished.

Grant makes this fling at the "axiom of war," which

*Grant's Memoirs, Vol. I, page 424.

"he said up to this time had been accepted, that large bodies of troops must operate from a base of supplies, which they always covered and guarded in all forward movements."

An invading army was, therefore, always tied to its base. But there was no such "axiom;" no great soldier had ever acted on it; Alexander, Cæsar, Hannibal and Napoleon had always cut loose from fixed bases of supplies, and made their arms feed their mouths. And Grant himself was at once forced by the inexorable logic of facts to ignore the "axiom" and take care of himself.

Van Dorn came in behind him and burnt up his "base" at Holly Springs. If Grant had then acted as a scientific soldier, according to the rules, should have acted, he would have fallen back and changed his base, and waited until communications could be restored with the source of his supplies.

Unfortunately for the Confederates he turned out to be not that sort of a soldier, but without a moment's hesitation. sent out into the country, seized all the horses, mules, wagons and provisions he could find, and made himself independent and comfortable.

And he did this in a regular, orderly, civilized way. He took what he was obliged to take, by the hands of officers acting under orders. But he did not let loose upon an unarmed population of women and children, surrounded by a servile population of an inferior and half savage race, hords of marauders, robbers and murderers, and call them "bummers"; to devastate, burn,

rape, murder and destroy; to disgrace his name through future generations, and dishonor the uniform he wore and the flag under which he fought.

He bore a great soul. He was a *large* man. He was a rough soldier. He struck hard blows and did rough things, but war is no holiday spectacle, nor parlor amusement. But Grant never in his whole career as soldier in the Union army, ever did one thing for which his posterity will blush, or which his countrymen must palliate or excuse.

He foraged in Mississippi, as he had the right to do, and he foraged like a soldier and a gentleman, as he was, in a legal, decent, orderly way.

But he was forced to turn back and try for Vicksburg in some other way. A great popular demand had arisen on his government, that the Mississippi should be opened by an expedition down the stream. That the great West should "hew her way to the Gulf with her own sword," as John Logan had said. Consequently, Memphis was made the starting point for a new movement.

Sherman was sent by water from that place down the Mississippi and up the Yazoo, to get into the rear of Vicksburg, but he was driven back by the fortifications with which Pemberton had protected his flank.

Farragut with a fleet held the river below Port Hudson, but was stopped by Gardner's guns.

Porter with another fleet was prevented from descending by Vicksburg, and the Confederates had free communication with their Trans-Mississippi Department and the armies of Dick Taylor and Holmes there.

Grant took command at Memphis himself, and forthwith transferred his army to Milliken's Bend, the loop just opposite Vicksburg, and on which it is situated. On the northern side of the loop is Young's Point, and from there across to the southern side is only a mile. The Mississippi has before this changed its course, for Lake Providence, extending along the west side, is evidently the ancient channel of the Father of Waters. It is curious what insignificant incidents influence great events.

President Lincoln once in his life had gone down the river in a flat-boat, and as the boat floated on the sluggish current for days and days, an active-minded and imaginative youth would think many thoughts and dream many dreams.

It is not to be supposed that Lincoln's dreams ever called back pictures of Ponce de Leon or De Soto or of Old Hickory, for it is doubtful if he ever had heard of the two Spaniards, and he only knew the name of Andrew Jackson, and the battle of New Orleans. The opening of the waterway of the West—their way to the sea—inflamed the imaginations of their young men, and of no one more than the President himself.

Some one suggested that a canal cut across the neck of Milliken's Bend, only a mile across, would turn the whole force of the mighty river into it and leave Vicksburg high and dry, while the way to the sea would be open forever.

Gen. Williams had cut a canal ten or twelve feet wide and as many deep across the neck of Milliken's Bend,

and everybody and the President thought that this would induce the river to change its course, but it did not.

Grant, therefore, directed McClernand, who reached Young's Point before him, to extend and enlarge this work, and McClernand, by the last of January, 1863, had 4,000 men at work digging as hard as they could.

But it became certain that the river *would not* change its course to save the Union, to make a way for the West to the sea, or to gratify the President of the United States. Admiral Porter's fleet was waiting to come down. Admiral Farragut's fleet was waiting to come up. Grant was digging and ditching across Millikin's Bend, and the whole West was yelling for their "way to the sea."

In May, 1863, as we have seen, Johnston was ordered to Jackson to take command of Pemberton and his Army of the Mississippi, of Bragg and his Army of Tennessee, and of Dabney and his Army of the Gulf. He wanted Holmes' army at Little Rock, of 55,000, ferried across the Mississippi and concentrated with Pemberton, and fall on Grant, displayed along the railroad leading from Holly Springs north. And he insisted upon Holmes instead of Bragg, because he said Holmes could be brought up so much sooner and easier than Bragg, from Tullahoma in Tennessee. The troops west of the Mississippi ought, according to Johnston's ideas and his urgent representations, to be transferred to the east of the Mississippi, where they could be utilized with Pemberton, Bragg and Maury, and not be cut off in detail, separated by distance and

the great river, from supporting armies. Grant, tired of the attempt to turn the river, urged the navy to run by the guns on the bluffs.

On the 14th of March Farragut ran the blockade at Port Hudson with the Hartford and the Albatross, and Porter responded by passing a fleet of ironclads, gunboats and transports by Vicksburg in the night.

The river then was in possession of the Federal fleet. The Confederate communication with the Trans-Mississippi was broken, and Port Hudson and Vicksbnrg both ceased to be of value to them.

As soon as Johnston was advised that Holmes and Dick Taylor were cut off he saw that Gardner and Pemberton must soon share their fate unless promptly relieved. Grant let go Milliken's Bend, leaving only a garrison there, and rapidly crossed the Mississippi at Bruinsburg, below the mouth of the Big Black.

His movements thenceforward were dashing and brilliant. He never lost a moment. He cut loose from bases of supplies, only taking with him ammunition, and pushed for Pemberton's rear. Johnston had about 20,000 at Jackson. With Pemberton's 25,000, and Holmes' 55,000, he could have overwhelmed Grant.

Inasmuch as Holmes was now cut off, he applied to the War Department at Richmond for Bragg. The Secretary of War replied that Bragg was under Johnston's command, and that he must do what he thought was necessary.

Johnston answered to that, that the coming of Bragg to Mississippi meant the evacuation of Tennessee; that

the choice between Mississippi and Tennessee was a political question, not a military one, and was for the civil government to decide, not for the general commanding armies in the field.

And then arose discussion and recrimination between President Davis and Gen. Johnston, which ought not to have occurred.

But Bragg did not move, and Grant did. Johnston ordered Pemberton to evacuate Vicksburg and march to the northeast, while he would leave Jackson and march to the northwest. Thus these two armies would be united, and they could fall on Grant, who had cut loose from the Mississippi, and his fleet and was marching on Jackson.

This order was dated May 14. It was sent in triplicate. The bearer of one copy was a Southerner, so ardent that he had been expelled from Memphis by General Hurlbut on account of his vociferous denunciation of the Yankees. His expulsion was a trick to get a spy into Confederate headquarters. It was one frequently practiced, and, as far as I know, always with success. Beauregard expelled one in October, 1862, from Manasssa, into McClellan's adjutant's office in Washington, and the movement on Mason's Hill was prosecuted largely to have the benefit of *her* signals from Washington.

The rebel expelled by Hurlburt, as a martyr and a zealous partisan, readily got credit in Jackson, and was dispatched in charge of one copy of the order to Pemberton. He rode straight to McPherson's lines, deliv-

ered it to McPherson, to hand it to Grant, when it was given back to the courier to go on to Pemberton. It did not reach him until May 16th, after Grant had attacked and beaten him at Baker's Creek. His answer was sent back to Johnston by the same hand, was carried to Grant, and then forwarded to Johnston.

This incident was unknown to General Johnston when he wrote his narrative in 1872-74.

Pemberton did not receive Johnston's order in time to obey it.

On May 15th, Johnston again wrote Pemberton that the only way they could unite was by the latter moving promptly to Clinton, to the northwest of Jackson. And Johnston marched his two brigades sixteen or eighteen miles toward the northwest to make junction with Pemberton.

On the night of the 16th, he heard from Pemberton that he considered it better to cut Grant off from his base at Bruinsburg, and had attempted to do so when Grant prevented it by the attack at Baker's creek.

It was then too late to get out. Grant was driving Pemberton back to Vicksburg, and the rescue of the Confederate army there became utterly hopeless. Grant invested Vicksburg and constructed a line of fortifications in his rear to protect him from Johnston's attack, which were impregnable to any force the latter could throw against him.

It is just to say that Johnston's view as to the withdrawal of Holmes and Dick Taylor to the east of the Mississippi was without doubt the sound view, and if it

had prevailed, would probably have materially changed the course of history. But it is equally true that when the President and Secretary of War forced on Johnston the responsibility of the evacuation of Tennessee, by the withdrawal of Bragg, and the concentration of all the troops of his command against Grant, it was Johnston's duty to have accepted the responsibility and have decided the military question, and to have left the political one to take care of itself.

CHAPTER X.

THE GEORGIA CAMPAIGN.

FROM the fall of Vicksburg, July 4, 1863, during the remainder of the summer, Johnston was engaged supervising the defense of Mobile, where Maury was in command, and in organizing the debris of the Army of the Mississippi.

In the latter part of September, Bragg fought Rosecrans at Chicamauga and beat him.

The Federal General was rapidly reinforced from Grant's army in Mississippi, and Grant transferred to command it. He drove Bragg from Missionary Ridge, and on December 18th, Johnston was ordered to transfer the command of the Department of Mississippi and East Louisiana to Lieutenant-General Polk, and repair to Dalton and assume that of the Army of Tennessee. He arrived at Dalton on the 26th, and assumed command on the 27th of December.

On the 18th of December, President Davis had visited the troops at Demopolis, and on the 20th, those at Enterprise. While there he transferred General Hardee and two brigades to the Army of Tennessee.

On December 20th, the returns of the army showed effectives, not quite 36,000; the number present, about 43,000.

General Bragg estimated Grant's force at Chattanooga, Bridgeport and Shreveport at 80,000. Grant reports them at 65,000.

The hard service of the preceding campaign had so reduced the animals of the artillery and transportation that they were unfit for service. The railroad was unable to supply them with long forage, and they were sent into the Valley of the Etowah to recuperate.

Many of the men were barefooted, and there was a deficiency in the infantry of six thousand small arms.

On February 11th, Lieutenant-General Polk reported that Sherman was advancing with 35,000 men along the railroad toward Mobile. On the 17th, the President directed that Lieutenant-General Hardee be sent to Polk with three divisions, which was promptly done.

Grant at once made a forward movement on Dalton. Sherman turned back, and Hardee returned to the Army of Tennessee.

On March 3d, Grant, having been commissioned Lieutenant-General, was ordered to Washington to take command of all the Armies of the United States.

This left Sherman and Johnston facing each other; Sherman with 80,000 fighting men, Johnston with 40,000. Sherman was at Chattanooga, and Johnson at Dalton—one-fourth of the way between Chattanooga and Atlanta.

Atlanta was the centre at which the railroads from Southern Georgia met, and from which they led to the North. Georgia had got to be the source from which the supplies for the Army of Northern Virginia were largely drawn.

The Confederacy had been divided by the fall of Vicksburg and the opening of the Mississippi.

The possession of Atlanta by the Federals would give them Georgia, Alabama and Mississippi. They already had Kentucky, Tennessee, Missouri, Arkansas, Louisiana and Texas, and if Atlanta was lost, nine States would have been conquered and reduced, and only the two Carolinas and Virginia left to defend the cause of the Confederacy. Therefore, the possession of Atlanta was a question of life and death.

The country from Chattanooga to Atlanta is mountainous, traversed by mountain ranges running north and south, with numerous ridges across the valleys and bold streams affording positions for defense.

Since Johnston had assumed command of the Army of Tennessee, he had caused careful surveys to be made of the country behind him, and had selected positions for defense to be fortified and prepared.

On February 22, 1864, Sherman moved on Johnston's lines.

Gen. Bragg, who had been called to Richmond as general military adviser of the President, if not General-in-chief, proposed to Johnston to reinforce him up to 75,000 men, with which he was to move into Tennessee and force Sherman, or, as he said, Grant, to fight him. Johnston replied that if he was to make that move, he must have the troops promised at once. or it would be too late. They were not supplied and Sherman moved.

But the administration was not satisfied. It insisted that Johnston should assume the offensive, "with an army 16,000 weaker than that proposed by Gen. Bragg," as Johnston says.

The return of May 1, 1864, showed the effective strength of the Army of Tennessee to be 42,856.

Sherman had in the meantime been reinforced by probably 30,000 veterans. Polk with all his infantry was ordered to Johnston.

Sherman moved on. His tactics were simple. He moved in three columns. The center engaged Johnston in his fortified position. Either flanking column pushed on by him as it found opportunity.

Now one man cannot fight three men of equal courage. No matter how he defends himself against his assailant in front, the one on his right or his left is bound to get behind him and strike him a fatal blow. This was Grant's move, from the Rapidan to the James. This was Sherman's from Dalton to Atlanta.

Johnston occupied every mountain pass, every ridge of hills, every ford, and fought his enemy whenever he attacked. He always repulsed him in front, but when his flank was turned, as turned it must be, he fell back in the night to the next position, with the *morale* of his people increased, and their spirit for the next fight heightened.

From the 12th of May, back to Atlanta, on July 17th, 1864, Johnston conducted this masterly retrograde with the loss of four field pieces, disabled and unable to be carried off, in seventy-four days' fighting an enemy of more than double his numbers.

Grant's army, that had fought at Missionary ridge, was then estimated at 80,000 men. It had been increased by two corps, one division and probably 12,000 recruits.

On June 1st, it contained, according to the returns, 112,819. On September 1st, it mustered 81,758. It actually lost in killed, wounded and missing 31,687. Johnston's total loss was 9,972.

These are the figures as shown by the official returns of Sherman and Johnston.

The Confederate, confronted by overwhelming numbers, seems to have taken Wellington's retreat in Spain as his model. His object was to withdraw his enemy as far from his base and into a hostile country as possible, reducing his numbers and his *morale* by reiterated blows, until he had produced something like an equality of forces.

Peach Tree Creek runs just north of Atlanta. It is passable by two fords at some distance apart. Johnston's plan was to strike Sherman as he was passing these fords, hoping to crush one of his columns before the other could aid him, and in case of disaster, he had the fortified position of Atlanta, which he had been preparing since June, for just such a contingency.

No one can now say that his whole campaign was not conducted on the best principles and with the highest generalship.

It was unjust in the extreme, to criticise his policy of retreat and fight, of fight and retreat. Lee in Virginia had been pursuing precisely the same plan since May, and had been forced back from the Rapidan to the James with no greater disparity of forces; and his movement met the entire sympathy and approval of the people and of the administration.

But for some inscrutable reason, by some logic even now unaccountable, there was a demand that Johnston should fight. He fought every day for seventy-four days. That he should stop retreating. He did stop until his army was nearly surrounded. That he should make a forward movement. That he should move around his adversary and throw himself on his communications.

Just at the point when he was about to declare decisive battle on his own terms, he was ignominously relieved and Hood placed in command.

His removal was a shock to the military sense of the Confederacy. Lee—subordinate, patient, respectful, as he ever was—remonstrated in writing to the Secretary of War. He spoke openly, as he never spoke before or since, "That if General Johnston was not a soldier, America had never produced one. That if he was not competent to command that army, the Confederacy had no one who was competent." And he was firm in urging that Johnston be reinstated to command. He was relieved July September 17, 1864.

Hood cut loose from Atlanta, carried out the programme directed by Bragg to Johnston in the preceding Spring, moved into Tennessee and lost his army.

On February 22, 1865, Johnston was directed by Adjutant-General Cooper to report by telegraph to Lee, at Petersburg, for orders. On the same day Lee ordered him to "Assume command of the Army of Tennessee and all troops in South Carolina, Georgia and Florida; assign General Beauregard to duty under you as you may select. Concentrate all available forces and drive back Sherman."

Johnston had retired to Lincolnton, North Carolina, and reported that "It was too late to concentrate troops to drive back Sherman."

Sherman was then in South Carolina, moving north to unite with Grant.

The Army of Tennessee, utterly broken up, by the Tennessee Campaign, was coming into North Carolina by regiments and skeleton brigades, and there was hardly a vestige of the organization of an army left. But Johnston did what was possible. He drew together the fragments from Charleston, Wilmington, and wherever they could be laid hold on, and concentrated them near Goldsboro, North Carolina, to delay Sherman and prevent his junction with Grant; while he hoped that Lee might disengage himself from Richmond, join him, and they together might defeat Sherman.

THE ADVANCE GUARD BEFORE SAVANNAH.

CHAPTER XI.

THE FALL OF ATLANTA AND SHERMAN'S RAID.

WHEN Johnston turned over the command of the army to Hood, he communicated to him his plan then ready to be executed, and Hood faithfully tried to carry it out.

He attacked Sherman as he was crossing Peach Tree creek, but the removal of Johnston had taken the spring out of his army, and he was badly defeated and driven back. He at once withdrew to a position about twenty miles southeast of Atlanta, on the railroad, about Lovejoy's station. Sherman pursued him, but soon returned and occupied Atlanta, perfecting his communications with the North and preparing for future movements.

In the latter part of September, President Davis visited Hood at his camp, and made a speech to the soldiers. He denounced Johnston for his Fabian policy; told the men that it was to be changed to the aggressive.

He said the Yankee army must either retreat or starve, and that Sherman's retreat would be more disastrous than that of Napoleon's from Moscow. That Forrest was already on the railroad in Tennessee, and that they should soon be there. Sherman was so well served that a spy actually heard this speech and reported it the following morning to him. He telegraphed it North.

It gave him the whole policy of his adversary's cam-

paign, and enabled him to prepare for it. He sent Schofield and Thomas back to Franklin and Nashville to collect troops and be ready for Hood.

In a few days Hood began to move around Sherman and go North. He attacked Altoona, a fortified post on the railroad, and was repulsed with heavy loss. Sherman followed him, until it became perfectly certain that he was off for Tennessee, as promised in Mr. Davis' speech at Lovejoy's, when he returned to Atlanta.

Savannah is three hundred miles from Atlanta. The country between is rich, well cultivated, had never seen an army, and was full of provisions. Absolutely every man in Georgia, from sixteen to fifty, was with the army. A march through such a country would be a military promenade. Hood would have been an obstacle, but Hood had gone and left the gate open.

The fall of Atlanta was naturally the subject of great rejoicing and much vainglory on the successful side. It meant the downfall of the Confederacy, and it paralyzed all hopes of success in the hearts of the great mass of the people. Sherman and the Federal authorities had a perfect conception of the importance of the event, and lost no time in improving their advantage.

The first thing Sherman did upon occupying Atlanta and getting his railroad communication with the North satisfactorily established, was to drive out every human being, young or old, male or female, from the city, who did not belong to his army. Pregnant women, women in child-bed, babies at the breast, sick women, puling infants, were thrust from their homes and sent off, against

the protests of the mayor of Atlanta, and the burning remonstrance of Hood, who commanded the Confederate Army.

Sherman justified his act as an act of war, and said "he was not dealing with the humanity of the question."

The same in sentiment, but more brutal even in expression, was the language of another great Federal General, as related by Busch in his "Bismarck and the Franco-Prussian War." On the advance of the Prussians into France, General Sheridan, with two of his staff accompanied the general headquarters.

When the advance guard of the invading army entered the village of Bazeilles, it was fired on from the houses and the gardens, by citizens or by *Franc tireurs*, the French guerrillas. The village was forthwith burned and razed to the ground.

The incident caused great criticism among the Prussians, and the action of the Prussian General who ordered it much commented on. Here is Busch's account of the views of the American general: "On September 8th," says he, "we had a great dinner, at which the hereditary Grand Duke of Mecklenburg-Schwerin, and the three Americans, were present.

"They spoke of the different reports about the incidents at Bazeilles. The minister (Bismarck) said it could not be tolerated, that peasants should join in fighting to defend places. They were not in uniform, and therefore when they throw away their muskets unnoticed, they cannot be known as combatants. The chances ought to be equal for both sides. Abeken thought the

fate of Bazeilles too hard, and that the war ought to be carried on more humanely.

"Sheridan, to whom McLean had explained the case, took a different view. He thought the severest treatment of a population during a war, quite justified on political grounds, 'The main thing, in true strategy.' What he said amounted to this: 'First, deal as hard blows at the enemy's soldiers as possible, and then cause so much suffering to the inhabitants of the country that they will long for peace and press their government to make it. *Nothing should be left to the people but eyes to lament the war.*' Rather heartless, I thought to myself, but perhaps worth consideration."*

No such sentiment has been uttered by a commanding General since Attila or Alva, even if they did, which may be doubted.

Every writer on international war, every authority who has laid down the principles and practices on, and with which modern civilized war ought and must be carried on, condemns maltreatment of non-combatants, and forbids plunder or the appropriation of private property, unless necessary for the support of the army, and then to be paid for.

Scott and Taylor in Mexico procured provisions by regular details under responsible officers, and paid for them in hard money.

The government of the United States, bound to range itself on the side of civilization, employed Dr. Francis Lieber, the greatest publicist in America, to prepare a

*Busch, page 130.

code for the government of the American army in war. This code was published by authority, and was the law which was law for Gen. Sherman as well as for the meanest bummer who flanked his march and disgraced his flag.

Section 20 of this code is: "Private property, unless forfeited by crimes, or by offences of the owner against the safety of the army, or the dignity of the United States, and after due conviction of the owner by court-martial, can be seized only by way of military necessity, for the support or the benefit of the army or of the United States."

Section 24 is: "All wanton violence committed against persons in the invaded country ; all destruction of property not commanded by the authorized officers; all robbery; all pillage or sacking, even after taking a place by main force; all rape, wounding, maiming, or killing of such inhabitants, are prohibited under penalty of death, or such other severe punishment as may seem adequate for the gravity of the offence."

This code does not appear to be entirely in accord with the sentiment of Sheridan: "That the inhabitants should be left only eyes to weep." But in September, 1863, it was the law which bound the Federal army, which every officer and every soldier had sworn to obey. Sherman cleaned out his army of all ineffectives: Sick, disabled, convalescents, everybody who could not march was sent North by the railroad. By the last of November he was ready for his march to the sea. He had 60,000 men, seasoned and toughened by march, bivouac

and battle for a year. The victors at Port Hudson, Grand Gulf, Vicksburg, Missionary Ridge and the pursuers of Johnston for seventy odd days, always advancing and never giving ground. They were in perfect health, in the highest *morale*, and must have been under the best discipline. With them he took sixty-five guns, generally in four gun batteries, twenty-five hundred six-mule wagons, and twenty-five hundred two-horse ambulances. The wagons carried about twenty-five hundred pounds each. The roads were good, wood, water and provisions plenty, and the weather superb.

His general order for the march conforms to the requirements of Lieber's code. Straggling was strictly prohibited, and plundering denounced; lest the straggler or plunderer in the enemy's country might meet a sudden death.

The wagons were always to carry ten day's rations and forage for the army. And they always did. So there never was excuse for plunder or pillage. The troops were to march by four roads, keeping in touch with each other all the time, so that they could be rapidly concentrated at any point when necessary.

The columns ought to make fifteen miles a day, and therefore twenty days would bring them to the sea at Savannah.

The march began from Atlanta on November 15th, and for the first day or two proceeded in an orderly and military manner. The trains were properly guarded. Foraging parties were kept out on the flanks in charge

of quartermasters and commissaries, and provisions were collected in a decent, civilized way. But by the end of two days it became evident that there were no white people left in the country, but women and children, and that the byroads, paths and fields were as absolutely safe as in Central New York. And then began the saturnalia of the "bummers."

The Federal army contained regiments from many Northern States. In the ranks were men whose ancestors had died at Bunker Hill or fallen at Buena Vista. They were the sons of God-fearing, country-loving fathers and mothers, and were as high-minded, chivalrous, generous soldiers as ever carried musket or drew sabre. But by their sides, in no inconsiderable proportion, were the mercenaries, who had enlisted solely from selfish considerations. They knew no flag; they had no country; they never felt a pulsation of patriotism, nor a throb of honest enthusiasm. The commercial spirit, which understood that it would pay better to give a thousand dollars for a substitute, when a man was making a thousand dollars a day, by a contract for bogus boots, or shoddy coats, or useless hats, than to risk life or limb for the Union, had filled the army with the scum of the world. The market price of the human material rose as the competition grew hotter.

The proletariat of the old world, the jails and penitiaries of the new, were bought up by commercial dealers, who sold them at a profit.

Clubs were formed for mutual assurance against the perils of patriotism and the loss of jobs.

A hundred neighbors, all interested in making money out of the war for the Union, and all profiting by it, would form an association for protection, that if one was drawn for the war, the whole would supply a substitute by assessment on all the members.

It was the same arrangement that has since blossomed out as graveyard insurance, or mutual benefit association. The consequence was, that as there was a ready market for substitutes, there was an ample supply. The Bunker Hill Mutual Assurance Society, and Perfect Substitute Association, would be formed on the basis that each member would put in so much capital, which was at once invested in substitutes, and that there should be no further call on the stockholders until drafts had been made on members sufficient to exhaust the paid-in capital of substitutes.

The consequence of this market in blood and bones was, that side by side with the high-spirited New England boy, whose grandfather had stood by Warren, or the Illinois farmer's son, whose ancestor had died at Tippecanoe or Monterey, was a collection of the basest, vilest dregs ever collected by the dredge of avarice from the bottom of civilization.

In all the scenes that followed Sherman, in all the gruesome memories of that fearful march, in all the lurid pictures of crime and suffering, the only light is that of some bright young "Yankee," always American, who interposes—sometimes officer against private soldier, sometimes private soldier against officer—to shelter women, old men and children against the "bummers,"

the outpourings of the jails and penitentiaries of the North, and the dregs of the mob in the Continental cities.

No tongue can tell, no pen can paint the horrors of that thirty days' march of Sherman from Atlanta to Savannah. He left Atlanta November 15, he reached Savannah December 15; and in that thirty days was packed as much of human suffering as ever was experienced in the same period in all the history of all time.

The spirit of the chiefs inspires the followers. I have already shown what feeling Sheridan had.

After Sherman had reached the sea he received this order from "H. W. Halleck, Major-General, Chief of Staff":

HEADQUARTERS OF THE ARMY,
WASHINGTON, Dec. 18, 1863.

* * * Should you capture Charleston, I hope that by *some accident* the place may be destroyed, and if a little salt should be sown upon its site, it may prevent the growth of future crops of nullification and secession."

On December 24, 1864, Sherman answers this delicate intimation to commit murder, arson and robbery, and pretend it is by accident, as follows:

"I will bear in mind your hint as to Charleston, and do not think that 'salt' will be necessary. When I move, the Fifteenth Corps will be on the right of the right wing, and their position will naturally bring them into Charleston first, and if you have watched the history of that corps, you will have remarked that they generally *do their work pretty well; the truth is, the whole army is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble for her fate, but* FEEL THAT SHE DESERVES ALL THAT SEEMS IN STORE FOR HER. * * * *I look upon Columbia as quite as bad as Charleston, and I doubt if we shall spare the public buildings there, as we did at Milledgeville.*"

The Federal army marched by four roads, covering a front of forty miles. It moved at the rate of fifteen mile a day.

A solid wall of smoke by day forty miles wide, and from the horizon to the zenith, gave notice to the women and children of the fate that was moving on them. At early dawn the black vail showed the march of the bummers. All day long they watched it coming from the Northwest, like the storm-cloud of destruction. All night it was lit up by forked tongues of flame lighting the lurid blackness. The next morning it reached them. Terror borne on the air, fleet as the furies, spread out ahead, and murder, arson, rapine, enveloped them.

Who can describe the agonies of mothers for their daughters, for their babies, for their old fathers and young boys?

This crime was organized and regulated with intelligence and method. Every morning details were sent in advance and on the flanks. Justice required that the men who remained in the ranks should share in the advantages of these details. Of course energy, enterprise and courage made itself felt at once among the "bummers," and the more daring and boldest forthwith supplied themselves with good horses and kept well mounted by that means. There were many thoroughbred horses in Southern Georgia, and the stables of the rich planters were stocked with the best blood of Virginia and South Carolina.

The bummers spread themselves over the whole country

for miles beyond either flank of the marching columns, and they robbed everything. The negroes were no more safe than the whites. The especial objects of their search were watches, jewelry and women's trinkets. The old galley slave, fresh from Toulou, and the French hulks, with the brand on his shoulder and the limp of the shackles on his leg, found a wide field for the exercise of those talents which had brought him to grief in his own country.

Between the thieves and their accomplices, there was organized a rude system of division, according to a law of prize.

All valuables—gold, silver, jewels, watches, &c., were to be brought in at night and a fair division made of them among all parties.

The captain was entitled to so much. The colonel to his share. The general to his portion.

In May, 1865, a brigadier-General commanding a cavalry brigade under Major-General Kilpatrick, said that Kilpatrick had a bushel of watches, trinkets, numerous finger-rings and earrings; of course in such a band there was no such thing as honor, and the division made was in no way equal; but the system worked. Under it everybody was robbed, and everyone among the robbers got a share. Sherman set out to leave the inhabitants "nothing but eyes to weep." He left nothing else in his track, but one thing, which he forgot. He left them memories to retain the impressions and the feelings he created.

General Sherman, in his memoirs, makes merry over

the humors of the "bummers," and says that President Lincoln, "Honest Old Abe," in the last interview he ever had with him, in April, 1865, at City Point, was highly diverted and greatly interested in the "bummers." The massacre at Glencoe was the one single blot upon the honor and fame of William of Orange, the deliverer of England. But the picture drawn by Macaulay of that tragedy is of a holiday fete, beside the tragic scenes spread over hundreds of miles for months on the line and flank of Sherman's march. One or two drawn by the actors in them, will suffice in this panorama of horror.

In the fall of 1864, Judge H——, of Macon, Georgia, left his home at Macon and went to his plantation in Jefferson county, Georgia, twelve miles from a railroad, in the Ogeechee swamp. His wife writes this account of experiences, that justice to history and to truth requires should be put on record:

"About the 24th of November, we heard that Sherman's Army were in posession of Milledgeville, and were on their way to Savannah, burning and destroying everything in their course, and our house being directly on the wagon road from Milledgeville to Savannah, we of course, expected them to lay everthing in ashes that they could find.

"A few days afterward we could hear of Kilpatrick's cavalry all around us, and see the heaven's illuminated at night with the glare of burning gin houses and other buildings. We could hear of houses being pillaged, and old men being beaten nearly to death, to be

GENERAL SHERMAN'S ARMY DESTROYING THE RAILROAD AND TELEGRAPH WIRES.

made to tell where their money and treasures were concealed. All these tales of horror we heard, and deeply sympathized with the sufferers, expecting every hour to see the cavalry ride up and treat us in the same manner. But to our great joy they passed us, coming no nearer than six miles, and when they had passed, we hoped the main army would do the same. We thought it best, however, to take such precaution to conceal our stock, so as to prevent them being found, if they should make us a visit, and stockades were built in the dense swamp of the Ogeechee, impenetrable, as we thought, to any one not acquainted with the surroundings.

"For several days, squads of Wheeler's cavalry would pass, and tell us where Sherman's army was, and of the depredations they were committing, and warn us to prepare for the worst, as they were showing no mercy; and on Sunday, November 28, we heard that the destroyers were encamped just above our upper plantation about four miles from our home. That night the heavens looked as if they were on fire, from the glare of hundreds of burning houses, and early Monday morning a negro man came from the upper plantation and told us they were crossing the river, and that some of them were in Louisville, about two miles off; also that they were searching the houses, breaking in the stores and setting fire to them, and killing all the stock they could find. (Stores, in Southern vernacular, means stores and supplies of provisions, clothing, &c., provided for a plantation. Stock, means live stock.)

"He proposed to hide a number of hams we had hang-

ing up in the smoke-house, where we had been making salt by leaching the dirt from the earthen floor, and we gladly accepted the proposition. He accordingly dug down about two feet, laid plank at the bottom of the excavation, laid the hams on them, covering them up securely and putting syrup barrels over the place.

"I told the cook to prepare us enough food to last us several days, as we would not be able to have anything cooked while the Yankees were on the place. We also gave the negroes one month's rations, thinking that they would be better able to keep them than we should.

"That morning Mrs. S——, the overseer's wife, and myself had gone into the woods and buried my valuables.

"Judge H—— was in the swamp at the time having the stock put in the stockade, and turning the fattening hogs out in the swamp, thinking they would be less liable to be killed running at large. He had his watch with him.

"When he came back to the house I got his watch from him and gave it to Mrs. S——, with the request that she would hide it in some safe place.

"About noon, just as we were ready to sit down to dinner, a little negro boy came running in half breathless from fright.

" 'Marster,' he cried, 'dey's comin down de lane.'

" 'Who is coming,' asked his master?

" 'Two white men's wid blue coats on,' the little negro answered.

"We left the dining-room and looked out. Instead of 'two white men with blue coats,' we saw about a dozen,

talking to the negroes at the negro houses. My husband went out, and two of them came up and spoke very politely to him, asking if he could let them have something to eat. They said they wanted some flour, and were willing to pay for what they got. They looked around the pantry and smoke-house, and one of them said, 'you had better have those provisions carried into your house, some of our men are not very particular to ask for what they want,' while another offered to take down some pieces of meat that were hanging in the smoke-house and bring them into the house for me.

"I began to think they were not so bad after all, but I soon had reason to change my mind. I had hardly got the meat inside of the house before hundreds of the 'Blue Coats' could be seen everywhere. One man came up to me and asked if I could tell him how long it was since the last 'Rebs' passed the place. I made no reply to him, whereupon he cursed me and demanded to know why I did not answer his question.

"'Don't you know the Southern women know no such persons as "Rebs,"' another soldier observed.

"'Then,' said the first, 'will you please tell me, madam, how long since the last Confederate soldier passed here?'

"I told him General Wheeler's men had been passing for several days, and that some of them had passed that morning. 'I suppose,' I added, 'that they are waiting for you down in the swamp," and I hoped in my heart they would give them a warm reception.

"In our fright we had forgotten our dinner, and

when we went back into the dining-room everything was gone, not a morsel to eat was left. The dishes were all gone, and even the table-cloth was taken. They, no doubt, were very much delighted to find a nice dinner already prepared for them—a large turkey, a nice ham and various other things nicely cooked. We were too much frightened to feel hungry then.

"As we were outside the picket line, we were not molested during the night. The army regulations were very strict, requiring all to be in camp before dark, and we were not able to get a guard. That night, however, about nine o'clock, we heard a slight knocking on the window. 'Who is that?' asked my husband. 'A friend,' was the answer. 'I am a Confederate soldier.' Upon opening the door, a young Confederate officer came in. He said his name was Carter, and that his command being nearby, he had come into Louisville to see his wife, who was visiting relatives there. She was a sister of General Ranse Wright. That morning, before daylight, he left Louisville, hearing that the Yankees were in the neighborhood, and knowing that he would be taken prisoner if he were found. His friends had provided him with provisions to last several days. He had been hiding in the woods all day, and he came to ask us if we could direct him to a safe place in which he could conceal himself until the enemy passed by.

"Judge H—— directed him to a place in which he thought he might hide without much danger of being discovered. The young man accordingly provided

himself with some water and set out, having avoided letting the overseer, or any of the negroes, know of his visit.

"Early Tuesday morning the Yankees began to come in from every quarter. One could not look in any direction without seeing them. They searched every place. One of them loudly declared that he had heard we had a Confederate officer concealed in the house, and that he was determined to find him.

"The intruders thereupon looked into closets, trunks, boxes, and every conceivable place. One man came in and said: 'I know you have got a Rebel officer hidden away in here somewhere. He was seen to come in here last night.' He accordingly began to search the bureau drawers, and even opened the clock and looked into that. 'Sir,' said I, half laughingly, just as he was about leaving the room, 'There is one place in the room you have not looked into.' 'Where is it?' he asked. I pointed to a small pill box on the mantelpiece, and asked him if the Conlederate soldier might not be hidden in that. He turned away with a curse upon his lips on all the Rebel women.

"At noon some of the men insisted that my husband should go down to the swamp with them, to show them where some syrup was hidden. He called a negro man who had assisted us in hiding it, and told him to go, but the Yankees insisted that he should go himself. He told them he was old and feeble, and not able to walk so far. One of them thereupon went and brought a mule and put him on it, and three of them started with him

to the swamp. I felt very uneasy about him, but was assured by some of the soldiers that no harm would be done to him.

"While my husband was absent, the destroyers set fire to the gin-house, in which were stored over two hundred bales of cotton and several bales of kersey we had hidden between the bales of cotton. The granary, in which were several hundred bushels of wheat, was also set on fire. The negroes went out and begged for the cotton, saying that it was to make their winter clothes. The cruel destroyers refused to let the negroes have a single piece. They told them they knew it was to make clothes for the 'Rebs.'

"One man, who had been particularly insulting, came up to me and laughed harshly. 'Well, madam,' said he, sneeringly, 'how do you like the looks of our little fire. We have seen a great many such, within the last few weeks.'

"I had grown desperate, and I told him 'I didn't care. I was thankful that not a lock of that cotton would ever feed a Yankee factory or clothe a Yankee soldier's back.'

"He turned with an oath, and left me, but after a few minutes came back, having discovered that my house was in the city of Macon, and that I had heard nothing from there for some time, and told me, with a chuckle, that the army had passed through Macon, had sacked it and then burned it to the ground.

"A rough looking western man was standing by, and he interrupted him. 'Madam,' said he, 'have you friends in Macon?' I told him I had a home and a

brother there. He then turned to the miscreant and looked him squarely in the face. 'Why,' he demanded, 'do you lie to this lady? You know very well we did not touch Macon, but passed it by. God knows she will have enough to bear before this army leaves here, without being made the target of lies.'

"'I am glad you have a home outside Sherman's track,' he continued, addressing me, 'for Heaven knows you will need it before many days pass. You will have nothing left here.'

"Just then I saw my husband coming up on a bareback mule, with a Yankee soldier on each side holding him on. He was brought up to the piazza, lifted from the mule and brought into the house. They took him into a small room, and I followed. He turned to me and requested me to give the men his watch.

"'Why?' I asked, 'they have no business with your watch!'

"'Give it to them,' he repeated, with a gasp, 'and let them go. I am almost dead.'

"Mrs. S——, was standing by, and I told her to get the watch. She, without thinking, asked me if I meant Judge H——'s watch, and I answered yes. Of course the Yankees inferred from her remark that she knew where other valuables were concealed, and they made her yield up everything. I got my husband to his room as soon as possible, and found he was very faint, as I thought, from fatigue. Imagine my horror, therefore, when he had recovered sufficiently to talk, to hear that the fiends had taken him to the swamp and hanged him.

He said he suspected no harm until he got about two miles from the house, when they stopped, and taking him from the mule, said: 'Now, old man, you've got to tell us where your gold is hidden.' He told them he had no gold, that he had gone down to his plantation for a short visit, and had left his money at home in the bank. They cursed him, and told him that story would not do; that his wife had gone up to Macon and brought it all down, for a negro man had told them she had brought a trunk full of gold and silver down there, and that he could scarcely lift the trunk, it was so heavy. They then said they had brought him to the swamp to make him tell where it was. If he would give it up without force, all right, if not, they would hang him until he revealed its hiding place.

"He repeated his first statement, and told them he had no gold.

"They then took him to a tree that bent over the path, tied a rope around his neck, threw it over a projecting limb, and drew him up until his feet were off the ground. He did not quite lose consciousness, when they let him down and said, 'now where is your gold.'

"He told them the same story, whereupon one of them cried, 'we'll make you tell another story before we are done with you, so pull him up again boys.' They raised him up again, and that time he said he felt as if he were suffocating. They again lowered him to his feet and cried out fiercely, 'now tell us where that gold is or we will kill you, and your wife will never know what has become of you. 'I have told you the truth—

I have got no gold,' he again repeated, adding, 'I am an old man and at your mercy. If you want to kill me you have the power to do it, but I cannot die with a lie on my lips. I have no gold. I have a gold watch at the house, but nothing else.'

"One of them who seemed to be the leader said, 'swing the old Rebel up again; next time we will get all the truth from him.' They then lifted him up and let him fall with more force than before. He heard a sound as of water rushing through his head, and then a blindness came over him, and a dry choking sensation was felt in his throat, as he lost consciousness.

"The next thing he remembered, he was some distance from the place where he was hanged, lying with his head down the hill near a stream of water, and one of the men was bathing his face and another rubbing his hands. For some time he was unable to speak. Then he heard one of them say—'we liked to have carried this game too far.' When he was able to sit up, they placed him on the mule and brought him to the house to get his watch.

"When Mrs. S—— went to get Judge H——'s watch, which was not with our other valuables, the plunderers compelled her to guide them to the place where everything of value we had was concealed, and she came to me when she returned to the house, and with trembling lips, said she hoped I would not blame her for showing them where our silver was hidden. 'I couldn't help it, she cried, 'they threatened to kill me if I did not tell.' They said they had hanged Judge H—— until he was

nearly dead, and they would do the same to me if I did not show them where everything was concealed. They even threatened to burn the house down if I kept back anything.'

"Poor woman, life was dear to her. She did try to save it. I did not blame her. Oh! the horror of that night!

"None but God will ever know what I suffered. There my husband lay with scorching fever, his tongue parched and swollen, and his throat dry and sore. He begged for water, and there was not a drop to be had. The Yankees had cut all the well ropes, and stolen all the buckets, and there was no water nearer than half a mile.

"Just before daylight, one of the negro men offered to go to the spring for some water, but there was not a bucket or tub to be found. Everything had been taken off. He at last found a small tin bucket that some of the negroes had used to carry their dinner to the field, and brought that full—about half a gallon.

"The next morning—Wednesday—a rough-looking man from Iowa came to the window and asked me if he could be of any service to me. The negroes were afraid to come near the house during the day, but came at night and brought in wood, and did all they could for me. I told the stranger we had no water and nothing to eat. He offered to bring me some water if I would give him a bucket. I told him every vessel had been carried off, and we had nothing. He then left, and in about an hour returned with a wooden pail, such as

the negroes used in carrying water to the fields. In other days I should have hesitated to drink water from such a vessel, as it certainly did not look very clean, but I was thankful to get it, and expressed my gratitude to the man.

"The Good Samaritan then took from his pockets two envelopes, one containing about two tablespoonfuls of parched coffee, and the other about the same quantity of brown sugar, and handed them to me. Notwithstanding my trouble, I could not help being amused. He brought me a small teacup and said, 'Now, take this coffee and grind it if you have a mill, if not, put it in a *rag* and beat it until it is fine, then put it in the cup and pour boiling water on it, and let it boil a few minutes. You will then have a good drink for your sick husband.'

"I thanked him, but did not let him know I knew how to make coffee. I know one thing, I never appreciated a cup of coffee more than I did that one. This man was rough-looking, but his heart was in the right place. He certainly acted the part of the 'Good Samaritan.'

"With one exception, the only kindness I received was from the Western soldiers. There were in that large army some feelings of kindness, but it was not my good fortune to meet them. Not far from the house, there were about a dozen banks of potatoes that the plunderers began to carry away by the bagful. They would come into the house, take any article of clothing they could find, tie a string around one end of it, and make a receptacle to carry off potatoes.

"My Western friend, the Good Samaritan, who gave me the coffee, came to the door and said, 'Give me a basket and I will bring in some of those potatoes, for you will need them.'

"I, fortunately, had a basket in the room and gave it to him, and he brought in about three bushels and put them under the bed on the floor.

"All the time he was bringing them in, the soldiers were jeering him and calling him 'Old Secesh.' He paid no attention to their taunts, but kept bringing in potatoes as long as he could find a place to put them.

* * * "During the day a number of officers came in 'to pay their respects,' as they said. One of them, speaking of the horrors war brought on the women and children of the South, spoke freely of the terrible way in which South Carolina was to be punished.

"'You may think the people of Georgia are faring badly,' he said, 'and they are, but God pity the people of South Carolina when this army gets there, for we have orders to lay everything in ashes, not to leave a green thing in the State for man or beast. That State will be made to feel the fearful sin of secession, before our army gets through it. Here our soldiers are held in check as much as is possible, with such a large body of men, but when we get to South Carolina they will be turned loose to follow their own inclinations.' 'Their own inclinations,' he seemed to understand, would be murder, arson, rape and robbery.

"On Saturday morning we looked out upon a scene of desolation and ruin. We could hardly believe it was

our home. One week before, it was one of the most beautiful places in the State. Now it was a vast wreck. Gin-houses, packing houses, screws, granary—all lay in ashes. Not a fence was to be seen for miles. The corn crop had not been gathered, and the army had turned their stock in the fields and destroyed what they had not carried off.

"The poor negroes had fared no better than we had. Their *friends* had stolen everything from them, as well as from us. Their master had given them a month's rations, thinking they would be able to save them, but alas, they had provisions, clothing and everything taken from them; even their shoes were taken from their feet. Their chickens had all been killed, and their beds and bedding carried off. Poor creatures, they looked disconsolate, and when they saw their master, the older ones burst out crying. 'Marster,' they asked, piteously, 'What we all gwine to do now? Everything gone, nothing left for us to eat.'

" 'I can't tell. It looks as if we would all have to starve together. I never saw starvation looking me in the face before.'

"I well remember the distress of one of the negro women. She was sitting on her doorsteps, swaying her body back and forth, in the manner peculiar to the negro, and making a mournful noise, a kind of moaning and low sorrowful sound, occasionally wringing her hands and crying out. As we approached her she raised her head.

" 'Marster,' she said, rolling her eyes strangely, 'what

kind of folks dese here Yankees? They won't even let the dead rest in de grave.' 'What do you mean?' he asked. 'You know my chile, what I bury last week? Dey take 'em up and left 'em on de top of de ground for de hog to root. What you tink of dat, sir.' "

"Her story was true. A fresh grave was dug up in search of treasure. A coffin with a little baby taken out and broken open, and the pitiful little corpse left on the ground for the hogs. The eyes of black as well as white were made to weep. There was no distinction on account of race or color. And at that moment Sherman was hauling ten days' rations for his whole army in his twenty-five hundred six mule wagons. The live stock, horses, cows, hogs, calves, sheep were shot and left on the ground as carrion."*

Here is another picture of the search for treasure. A party of bummers, coming on a secluded country house, inhabited by a one-armed and wounded Confederate soldier, his child, wife and his sister, undertook to find Jeff. Davis's gold, which they hoped, or believed, or pretended to believe, had been concealed by the family.

They secured large chests of plate and jewelry, which had been sent up the country from Charleston for safe keeping, and which, doubtless, were the origin of the myth about Jeff. Davis's gold.

The one-armed man was under guard, and refusing to tell where the gold was—for he asserted truthfully there was no gold—was struck over the head by the colonel with a musket, and when about to repeat the blow, the

*Our Women in the War, page 77.

young wife rushed in and warded it from her husband by receiving it herself.

"'No more of that, colonel," said an officer, who had been sitting on one side for some time, examining a casket of jewels. 'Take the fellow out and shoot him or break his neck as soon as you please, but let that girl alone or I'll take her under my own wing.'

"In a shorter time than I can relate it, the inhuman wretches dragged my helpless brother beneath a large maple tree, and placing a strong rope round his neck, prepared to execute their threat.

"'Perhaps the coil of hemp around his neck will make him open his mouth,' said one of the ruffians, giving the rope a sudden jerk.

"'You have already been told that there is no gold here, and now I add that if there were tons of it I would rather die twenty deaths than deliver it into the hands of such a band of cut-throats and robbers.'

"These defiant words from Earle were received with a volley of curses, and the order was given, 'draw him up.' The rope was tightening when one of the men exclaimed, 'Where's his wife? She must see him swing;' and as if in answer to the call, Iris sprang forward and tightly clasped the rope. 'You dare not, you shall not kill him,' she cried, her face blanched to the dreadful whiteness of death.

"'Who will stop us, you cursed Rebel?' asked the colonel, the most inhuman of the lot. 'Here, men, pull her off, and if she won't keep her distance, make her.'

"Rudely they tore her hands from the rope, and held

them firmly, despite her efforts to free herself. And then I saw the rope tighten again, and my poor brother swing into mid-air. They twice drew Earle up and let him down, each time calling him to tell where the gold was, and were preparing to hang him a third time when some officers, apparently of high rank, rode up and ordered the release of the captive, and the party to rejoin their brigade."*

Said Dr. ———: "When Sherman's Army passed through my place in North Carolina, some of his camp followers, in their greedy search for treasure, entered the graveyard, dug up my dead children, opened their coffins and left their bodies exposed to birds and beasts less vile than they."†

Such barbarities were practiced daily during three months in the track of desolation over three States.

The atrocities of the "unspeakable Turk" in Bulgaria, painted by the pencil of Gladstone, have since then roused Christendom to horror, and civilization to execration. This is not war, it is barbarism. The *morale* of of an army comes from its head. The spirit of the commander inspires his followers. In the preceding year General Lee, in the enemy's country, had issued the following order:

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
CHAMBERSBURG, PA., June 27, 1863.

General Order, No. 73:

The Commanding General has observed with marked satisfaction, the conduct of the troops upon the march, and confidently anticipates results commensurate with

*Our Women in the War, page 59.
†Our Women in the War, page 116.

the high spirit they have manifested. * * Their conduct in other respects has, with few exceptions, been in keeping with their character as soldiers, and entitles them to approbation and praise.

There have, however, been instances of forgetfulness, on the part of some, that they have in keeping the yet unsullied reputation of the army, and *that the duties exacted of us by civilization and Christianity are not less obligatory in the country of the enemy than in our own.*

The Commanding General considers that no greater disgrace could befall the army, and through it our whole people, than the perpetration of the barbarous outrages upon the innocent and defenceless, and the wanton destruction of private property, which have marked the course of the enemy in our own country. Such proceedings not only disgrace the perpetrators and all connected with them, but are subversive of the discipline and efficiency of the army, and destructive of the ends of our present movements. It must be remembered, *that we make war only on armed men*, and that we cannot take vengeance for the wrongs our people have suffered, without lowering ourselves in the eyes of all, whose abhorrence has been excited by the atrocities of our enemy, and offending against Him to whom vengeance belongeth, without whose favor and support must all prove vain.

The Commanding General, therefore, earnestly exhorts the troops to abstain, with most scrupulous care, from unnecessary or wanton injury of private property, and he enjoins upon all officers to arrest and bring to summary punishment all who shall in any way offend against the orders on this subject.

R. E. Lee,
General.

The idea of plunder permeated and saturated the Federal Army, from its headquarters to its bummers.

When Sherman captured Atlanta, he found there about thirty-one thousand bales of cotton, some of it belonging to foreigners. He seized it all, as prize of

war, and took the position with Mr. Barklay, the British Consul, that all cotton was saturated with treason, and that no rights of British subjects would be recognized to that article.

As soon as the capture of the cotton was known, December 27, 1864, Grant wrote Sherman: "Please instruct Foster to hold on to all the property in Savannah, and especially the cotton. Do not turn it over to citizens or treasury agents, without orders from the War Department."*

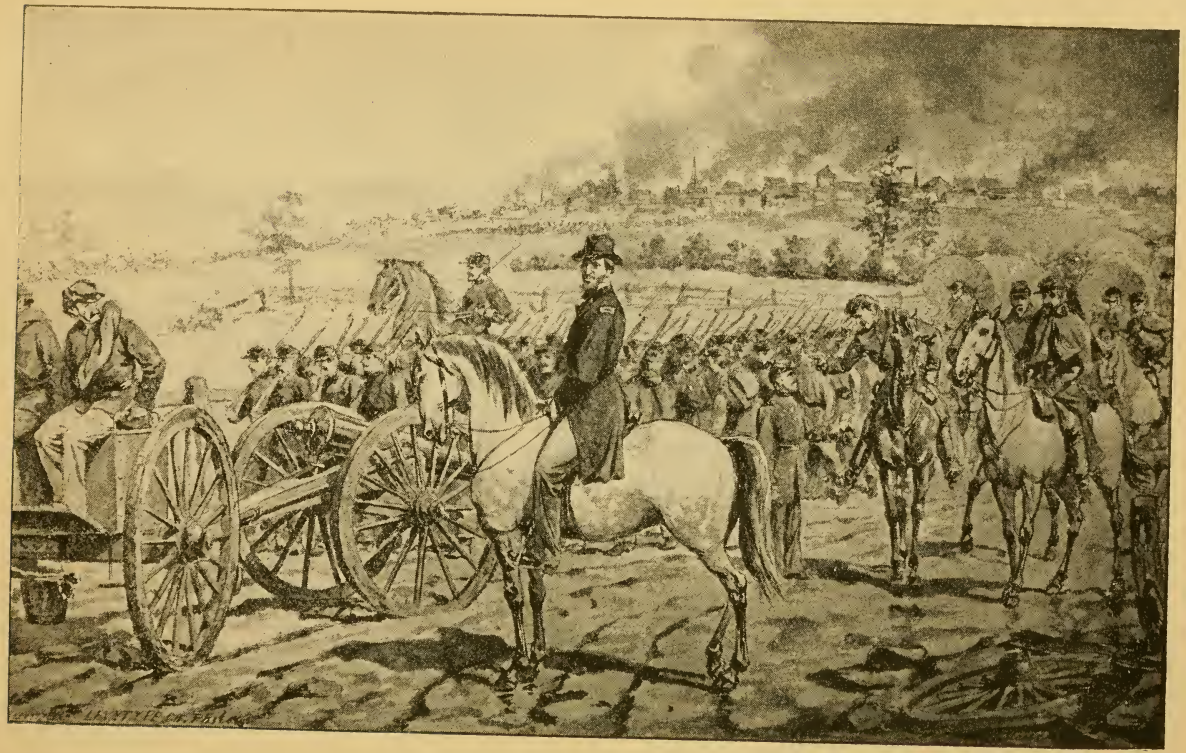
But the Secretary of War himself felt an interest in that cotton, and on January 11, 1864, he arrived in Savannah in a revenue cutter, with Simeon Draper, of New York, and others.

Sherman had a keen and alert intellect, and knew exactly what he wanted, and also how to get it.

He claimed the cotton as prize of war, assimulating it to captures, and the law of prize, on the high seas. Such a claim was unknown to the common law or the law of nations, and the Supreme Court of the United States have since decided that no such law of booty exists in the Army of the United States.

Stanton knew no theory by which the Secretary of War could share in booty. Sherman was satisfied that the Commander of the Army must take a large share, and of this opinion seemed Grant. So Grant wrote Sherman to hold on. Sherman ordered a list of all cotton with the marks on it to be made out, and for it to be forwarded to New York for adjudication and division by

*Sherman's Memoirs, Vol. II, page 238.



SHERMAN'S ARMY LEAVING ATLANTA.

the District Court of the United States, acting as a prize court.

Stanton did not agree to this, so he ordered it all turned over to Simeon Draper, agent of Treasury Department of the United States, and that all the bagging be taken off the bales and that they be re-bagged and re-packed so as to render identification impossible. This was a tolerably smart trick to "steal, take and carry away" thirty thousand bales of cotton, worth in the market six millions of dollars. Stolen silver is frequently melted up in the same way, to destroy the marks on it and prevent identification. There was a smarter one, however, and it was played. The chief quartermaster of Sherman's old corps put a couple of clerks in the warehouse where this disbaling and rebaling was going on, to keep a descriptive list of each bale, showing its old marks, its new marks and the name of its owner.

So Draper got the cotton, and some of the proceeds were paid into the treasury, under the captured and abandoned property act of the United States, which provided that all proceeds of such property should be held in trust for owners, who could get it by proving loyalty, &c.

After the war the Supreme Court of the United States settled the law, that a pardon by the President of the United States wiped out all the consequences of treason, and released all penalties. So the chief quartermaster sought out the owners of this captured cotton, and agreed to recover the proceeds of it, in the Court of Claims.

He actually recovered $3,700,000 of this money, the government refunding the price, about fifty cents per pound, paid for the cotton, and he got one-half of the sum recovered.

CHAPTER XII.

THE DRAGONNADE OF SOUTH CAROLINA, AND THE SACK OF COLUMBIA.

MAJOR GENERAL HALLECK, on December 18, 1863, wrote from headquarters of the army as chief of staff at Washington, to Sherman at Savannah:

"Should you capture Charleston, I hope that by *some accident* the place may be destroyed, and if a little salt should be sown on its site, it might prevent the growth of future crops of nullification and treason."*

Sherman replied, December 24th: "I will bear in mind your hint as to Charleston, and do not think 'salt' will be necessary. When I move, the Fifteenth Corps will be on the right of the right wing, and their position will naturally bring them into Charleston first; and if you have watched the history of that corps, you will have remarked that they generally do their work pretty well. The truth is, the whole army is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble at her fate, but feel that she deserves all that seems in store for her. * * I look upon Columbia as quite as bad as Charleston, and I doubt if we shall spare the public buildings there, as we did at Milledgeville."†

In the same vein, Sherman writes in his memoirs:

"So I saw and felt that we would not be able longer

*Sherman's Memoirs, Vol. II, page 223.
†Sherman's Memoirs, Vol. II, page 227.

to restrain our men, as we had done in Georgia. Personally, I had many friends in Charleston, to whom I would gladly have extended protection and mercy, but they were beyond my personal reach, and I *would* not restrain the army, lest its vigor and energy should be impaired."*

With a General as loquacious and vain-glorious as Sherman, these views of his were known to every "bummer" of the Fifteenth Corps, "which always did its work so well," as well as his whole command. So that when the army marched into South Carolina it did just what he wanted it to do, what Halleck wanted it to do, and what they both instigated it to do.

These facts would be of less importance, but that Gen. Sherman has persistently, deliberately, and without cessation, denied that he burnt Columbia, or knew it was going to be burnt, or permitted it to be burnt.

If he would avow the act, and take the responsibility to history, that at least would be honest and frank. But he has put on record in the United States Senate a carefully prepared, long matured, deliberate, and premeditated, falsification of history as to this crowning act of vandalism. Great men sometimes make blunders. Great generals sometimes have committed grave crimes, but no one has ever before skulked from the responsibility of his act, and endeavored to fix the stain on an innocent and honorable adversary.

Napoleon perfectly understood that the execution of the Duc d'Eughien was both a blunder and a crime, but

*Sherman's Memoirs, Vol. II, page 254.

even he never shirked the responsibility for that dark deed.

Speaking of the firing of Columbia, he says in his report:

"Gen. Wade Hampton, who commanded the Confederate rear-guard of cavalry, had, in anticipation of our capture of Columbia, ordered that all cotton, public and private, should be moved into the streets and fired to prevent our making use of it. * * * Some of these piles of cotton were burning," (when the Federal troops entered the city,) especially one in the very heart of the city, near the court-house, but the fire was partially subdued by the labor of our soldiers. * * * Before one single public building had been fired by order, the smouldering fires, set by Hampton's order, were rekindled by the wind and communicated to the buildings around. I disclaim on the part of my army any agency in this fire, but on the contrary claim that we saved what of Columbia remains unconsumed. And without hesitation I charge Gen. Wade Hampton with having burned his own city of Columbia, not with malicious intent, or as the manifestation of a silly 'Roman stoicism,' but from folly and want of sense, in filling it with lint cotton and tinder."

Hampton and the people of Columbia vigorously repelled this charge, and in May, 1866, published overwhelming proof of its falsehood.

In 1874-5, when Sherman's Memoirs were written, it was universally conceded that the charge was unfounded. Under the circumstances, an honorable soldier, nay, an honest man, would have said that he was mistaken as to the statement made in his report; and a generous one would have expressed regret at the wrong done his adversary, as well as the injury to his own reputation in having originated and circulated a

slander. But the memoir does neither. In them Gen. Sherman says: "Many of the people thought that this fire was deliberately planned and executed. This is not true. It was accidental, and in my judgment began with the cotton which Gen. Hampton's men had set fire to on leaving the city, (whether by his orders or not is not material), which fire was partially subdued early in the day by our men, but when night came, the high winds fanned it again into full blaze, carried it against the frame houses, which caught like tinder, and soon spread beyond our control. * * * In my official report of this conflagration, I distinctly charged it to Gen. Wade Hampton, and *confess I did so pointedly to shake the faith of his people in him*, for he was, in my opinion, a braggart, and professed to be the especial champion of South Carolina."*

If there is such another confession recorded on the pages of any history, anywhere, at any time, by a man of high position, by a general of a great army, and a man high in the confidence of a great government, I have never heard of it. The records of the criminal courts sometimes preserve the statements of pickpockets, of rogues, of swindlers, that they have "put up jobs," as they call it, on honest men, to call attention from themselves. The cry of "stop thief" is a familiar and shallow device of these gentry.

But never before has the General of an army recorded himself, in his own memoirs, carefully prepared ten years after the fact, that he had deliberately, wilfully

*Sherman's Memoirs, Vol. II, page 287.

and with malice aforethought, invented and uttered a lie, a base calumny against his adversary, for the sole purpose of injuring his reputation.

There is the record made by Gen. Sherman himself. Examine, explain, extenuate it!

While these events were transpiring in Georgia, Thomas and Schofield had destroyed Hood's Army at Nashville and Franklin, and Grant at once ordered Schofield, with his Twenty-third Corps, by rail to Annapolis, thence to be transported by sea to Newbern, North Carolina. The campaign then arranged, was that Sherman should cut loose from Savannah and Beaufort on the sea, march across South Carolina to Fayetteville, North Carolina on the Cape Fear, and thus compel the evacuation of Charleston, while Grant would make another attempt on Wilmington.

From Fayetteville, Sherman was to march to Goldsborough, North Carolina, where the railroad from Newbern, fifty miles off, joins the Weldon & Wilmington road, and refreshed with reinforcements, clothes, shoes and luxuries—to move on Raleigh, the capital of North Carolina; thence to Greensborough, where the railroad connects the North Carolina railroad with the Virginia system, thence to Danville, and cut Lee off at Farmville, where the railroad from Richmond to Danville and the South crosses the railroad from Petersburg to Bristol, Tennessee, and the southwest. This programme, carried out, would end the war. So, on February 1, 1864, Sherman started from Savannah and Pocataligo northward, with four corps of infantry and one

division of cavalry of three brigades, with an effective force of 60,000 men, twenty-five hundred wagons, with six mules each, and six hundred ambulances, with two mules each.

The wagons contained ammunition for a great battle, forage for seven days, and rations for twenty days, depending for fresh meat on the country.

Goldsboro was four hundred and twenty-five miles off. There was absolutely no force to oppose him. Hampton and Butler, with two skeleton brigades, were at Columbia.

A march of thirty days was before him. The weather was perfect. Cool enough and warm enough to permit men to sleep without tents or cover. The fresh meat and forage needed, could have been collected by the commissaries, impressing them in an orderly way, and there was no necessity for burning a single house, murdering a single old man, dishonoring a single woman, or desecrating the grave of a child.

Yet that army moved through South Carolina, from its southwestern corner to its northeast boundary, diagonally crossing the State, covering a front of sixty miles with its parallel columns, and its "bummers" on its flanks, leaving not a house with a brick chimney, not a barn, or a mill, nor a gin-house, nor any building—hardly a fence, nor a beast, nor a fowl; not a graveyard where the fresh graves were not dug up. And the Army of the Northern Virginia supplied many a fresh grave that winter to South Carolina. Not a woman, white or black, gentle or simple, who was not insulted.

It has been said, that all our Christianity and civilization has removed us only three generations from barbarism. That if you scratch a Russian, you will find a Tartar under the veneer and varnish. This march proves that the philosopher, who made the first observation was utterly mistaken, for experience has proved that sixty days is enough to make savages of men, with Christian mothers, reared under the influence of the bible, and with the light of civilization in their lives. No tongue will ever tell, no pen can record the horrors of that march. Ten generations of women will transmit, in whispers to their daughters, traditions of unspeakable things. These things may not be written. Eyes will weep for them, and memories will transmit them for many a generation.

Posterity will decide, and history will record, upon whom the responsibility for all this crime shall rest, just as certainly as that the Great Judge on the last day will render judgment for it.

The burning of Columbia was so atrocious, and accompanied by such incidents of barbarity, that it attracted the denunciation of Christendom, and Sherman, as we have seen, denied being responsible for it, and charged it upon Hampton. He has since confessed that the charge against Hampton was a malicious slander, invented by himself, to injure that great soldier's reputation among his own people. But in the memoirs, Sherman stands to his denial that he was responsible for the sack of Columbia.

But he also records the instructions of Halleck to

destroy Charleston, and sow its desolated foundations with salt. He shows how, he replied to Halleck, that the Fifteenth corps would take charge of Charleston, and that that corps always did its work thoroughly. He further shows how he considered Columbia as bad as Charleston; that he did not intend to restrain his soldiers breathing fire, sword and destruction to South Carolina, and that he sent the Fifteenth corps, his corps *d'elite*, through Columbia, and that Columbia was sacked. Only the Fifteenth corps passed through Columbia. This is the case as General Sherman states it.

No other or further proof is required, but there are some details that ought to be put in permanent shape for authentic perpetuation.

In the winter of 1865–'66, the people of Columbia appointed a committee to collect and perpetuate testimony about the sack of the city.

At the head of this committee was ex-Chancellor J. P. Carroll, a citizen illustrious for long and distinguished service to his State, and a blameless life. With him were others of whom any society anywhere would have been proud.

Chancellor Carroll, in May, 1866, reported as follows, and I insert his report that it may go on record, "*in perpetuam memoriam rei:*"

"The committee who were charged with the duty of collecting the evidence in relation to the destruction of Columbia by fire, on the 17th of February, 1865, submit the following report:

"By the terms of the resolution appointing them, the

committee do not feel authorized to deduce any conclusion, or pronounce any judgment, however warranted by the proof, as to the person responsible for the crime. Their task will be accomplished by presenting the evidence that has been obtained, with an abstract of the facts established by it.

"More than sixty depositions and statements in writing, from as many individuals, have been placed in the hands of the committee. The array of witnesses is impressive, not merely because of their number, but for the high-toned and elevated character of some of them, the unpretending and sterling probity of others, and the general intelligence and worth of all. The plain and unvarnished narrative subjoined is taken from the testimony referred to, solely and exclusively, except so much as refers to certain declarations of Gen. Sherman himself, widely circulated through the public press, and to the ravages of his army in this State; after their departure from Columbia, matters of such notoriety as, in the judgment of the committee, to dispense with the necessity of formal proof.

"The forces of Gen. Sherman's command, while in Georgia, seem to have anticipated that their next march would be through South Carolina. Their temper and feelings towards our people, a witness, Mrs. L. Catherine Jaynor, thus describes :

" 'The soldiers were universal in their threats. They seemed to gloat over the distress that would accrue from their march through the State. I conversed with numbers of all grades belonging to the 14th and 20th corps. Such expressions as the following were of hourly

occurrence: "Carolina may well dread us; she brought this war on, and shall pay the penalty." "You think Georgia has suffered? Just wait until we get into Carolina—every man, woman and child may dread us there.'"

"Gen. Sherman himself, the same witness informs us, in addressing himself to a lady of his acquaintance, said to her: 'Go off the line of railroad, for I will not answer for the consequences where the army passes.'

A TRAIL OF FIRE.

"The threats uttered in Georgia were sternly executed by the troops of Gen. Sherman upon their entrance into this State. For eighty miles along the route of his army, through the most highly improved and cultivated region of the State, according to the testimony of intelligent and respectable witnesses, the habitations of but two white persons remain. As he advanced, the villages of Hardeeville, Grahamville, Gillisonville, McPhersonville, Barnwell, Blackville, Midway, Orangeburg and Lexington were successively devoted to the flames. Indignities and outrages were perpetrated upon the persons of the inhabitants; the implements of agriculture were broken; dwellings, barns, mills, gin-houses were consumed; provisions of every description appropriated or destroyed; horses and mules carried away, and sheep, cattle and hogs were either taken for actual use, or shot down, and left behind. The like devastation marked the progress of the invading army, from Columbia through the State to its northern frontier, and the towns of Winnsboro, Camden and Cheraw suffered

from like visitations by fire. If a single town, or village, or hamlet, within their line of march escaped altogether the torch of the invaders, the committee have not been informed of the exception. The line of Gen. Sherman's march from his entering the territory of the State up to Columbia, and from Columbia to the North Carolina border, was one continuous track of fire.

"The devastation and ruin thus inflicted were but the execution of the policy, and plan of Gen. Sherman, for the subjugation of the Confederate States. Extracts from his address at Salem, Illinois, in July last, have appeared in the public prints, and thus he announces and vindicates the policy and plan referred to:

"'We were strung out from Nashville clear down to Atlanta. Had I gone on, stringing out our forces, what danger would there not have been of their attacking this little head of the column and crushing it? Therefore, I resolved in a moment to stop the game of guarding their cities, and to destroy their cities. We were determined to produce results, and now what were those results? To make every man woman and child in the South feel that if they dared to rebel against the flag of their country they must die or submit.'"

AN ARMY OF INCENDIARIES.

"The plan of subjugation adopted by Gen. Sherman was fully comprehended and approved by his army. His officers and men universally justified their acts, by declaring that it was 'the way to put down rebellion, by burning and destroying everything.'

"Before the surrender of our town, the soldiers of Gen. Sherman, officers and privates, declared that it was to be destroyed. 'It was,' deposes a witness, Mrs. Rosa

I. Meetze, 'the common talk among them, at the village of Lexington, that Columbia was to be burned by Gen. Sherman.'

"At the same place, on the 16th of February, 1865, as deposed to by another witness, Mrs. Frances T. Caughman, the general officer in command of his cavalry forces, General Kilpatrick, said in reference to Columbia : 'Sherman will lay it in ashes for them.'

" 'It was the general impression among all the prisoners we captured,' says a Confederate officer, Col. J. P. Austin, of the 9th Kentucky regular cavalry, 'that Columbia was to be destroyed.'

"On the morning of the same day (February 16, 1865,) some of the forces of Gen. Sherman appeared on the western side of the river, and without a demand of surrender, or any previous notice of their purpose, began to shell the town, then filled with women, children and aged persons, and continued to do so, at intervals, throughout the day.

"The Confederate forces were withdrawn, and the town restored to the control of the municipal authorities on the morning of the 17th of February. Accompanied by three of the aldermen, the mayor, between 8 and 9 o'clock A. M., proceeded in the direction of Broad River for the purpose of surrendering the city to Gen. Sherman. Acting in concert with the mayor, the officer in command of the rear guard of the Confederate cavalry, Gen. M. C. Butler, forbore from further resistance to the advance of the opposing enemy, and took effectual precautions against anything being done which might pro-

voke Gen. Sherman or his troops to acts of violence, or severity towards the town or its citizens.

"The surrender of Columbia was made by the mayor and aldermen to the first general officer of the hostile army whom they met, and that officer promised protection to the town and its inhabitants, until communication could be had with Gen. Sherman, and the terms of surrender arranged.

SACKING THE CITY.

"By 11 o'clock A. M., the town was in possession of the Federal forces, the first detachment entering being the command of the officer who had received the surrender. They had scarcely marched into the town, however, before they began to break into the stores of the merchants, appropriating the contents, or throwing them in the streets and destroying them.

"As other bodies of troops came in, the pillage grew more general, and soon the sack of the town was universal. Guards were in general sent to those of the citizens who applied for them, but in numerous instances they proved to be unable, or unwilling to perform the duty assigned them. Scarcely a single household, or family escaped altogether from being plundered. The streets of the town were densely filled with thousands of Federal soldiers, drinking, shouting, carousing and robbing the defenceless inhabitants, without reprimand or check from their officers, and this state of things continued until night.

"In some instances guards were refused. Papers and

property of great value were in the vaults of one of the city banks, while the apartments above, and in the rear, were occupied by women and children, with their food and clothing. For a guard to protect them, application was made by one of our worthiest and most respectable citizens, Mr. Edwin J. Scott, first to the general officer, who had received the town, Col. Stone, and then to the provost marshal, Major Jenkins. The response made to the applicant by the former officer, though standing idle in the crowd, was that he 'had no time to attend to him,' and the answer of the latter was, 'I cannot undertake to protect private property.' Between 2 and 3 o'clock P. M., Gen. Sherman in person rode into Columbia, informed the mayor that his letter had been received, and promised protection to the town. Extraordinary license was allowed to his soldiers by Gen. Sherman.

IN THE HANDS OF HIS FRIENDS.

"In the afternoon of the 17th of February, 1865, and shortly after his arrival in Columbia, the mayor of the town, at the request of Gen. Sherman, accompanied him on a visit to a lady of his acquaintance. While proceeding to her residence, Gen. Sherman began to express his opinion very freely upon the subject of our institution of slavery. In the midst of his remarks he was interrupted by the sudden and near report of a musket. Immediately before them, in the direction they were going, they observed a group of Federal soldiers seeming to be excited, and upon approaching they saw a negro lying dead directly in their path, being shot

through the heart. 'Gen. Sherman,' the mayor, Dr. T. J. Goodwin, narrates, 'asked of the soldiers "how came the negro shot," and was answered that the negro had been guilty of great insolence to them, and that thereupon Gen. Sherman remarked: "Stop this, boys; this is all wrong. Take away the body and bury it." Gen. Sherman, continues the mayor, then stepped over the body of the negro, and observed to this deponent that in quiet times such a thing ought to be noticed, but in times like these it could not be done. Gen. Sherman resumed his conversation in relation to slavery, and that no arrest was ordered or any censure or reprimand uttered by him except as above stated. About sundown,' as the mayor deposes, 'Gen. Sherman said to him: "Go home and rest assured that your city will be as safe in my hands as if you had controlled it." He added that he was compelled to burn some of the public buildings, and in so doing did not wish to destroy one particle of private property. This evening, he said, was too windy to do anything.'

"An esteemed clergyman, the Rev. A. Toomer Porter, testifies that the same afternoon between 6 and 7 o'clock Gen. Sherman said to him: 'You must know a great many ladies; go around and tell them to go to bed quietly; they will not be disturbed any more than if my army was one hundred miles off.' He seemed oblivious of the fact that we had been pillaged and insulted the whole day. In one hour's time the whole city was in flames.

"Meanwhile the soldiers of Gen. Sherman had burned

that afternoon many houses in the environs of the town, including the dwelling of Gen. Hampton, with that of his sisters, formerly the residence of their father and once the seat of genial and princely hospitality.

THREATS AND WARNINGS.

"Throughout the day, after they had marched into the town, the soldiers of Gen. Sherman gave distinct and frequent notice to the citizens of the impending calamity, usually in the form of direct and fierce threats, but occasionally as if in kindly forewarning. A lady of rare worth and intelligence and of high social position, Mrs. L. S. McCord, relates the following incident: 'One of my maids brought me a paper left, she told me, by a Yankee soldier; it was an ill-spelled, but kindly warning of the horrors to come, written upon a torn sheet of my dead son's note book, which, with private papers of every kind, now strewed my yard. It was signed by a lieutenant, of what company and regiment I did not take note. The writer said he had relatives and friends at the South, and that he felt for us; that his heart bled to think of what was threatened. "Ladies," he wrote, "I pity you; leave this town—go anywhere to be safer than here." This was written in the morning; the fires were in the evening and night.'

"One of our citizens, of great intelligence and respectability, (Wm. H. Orchard,) was visited about 7 P. M. by a squad of some six or seven soldiers, to whose depredations he submitted with a composure which seemed to impress their leader. Of his conversation

with this person the gentleman referred to testified as follows: 'On leaving the yard he called to me, and said he wished to speak to me alone. He then said to me in an undertone: "You seem to be a clever sort of a man and have a large family, so I will give you some advice. If you have anything you wish to save take care of it at once, for before morning this —— town will be in ashes, every house in it." My only reply was, "Can that be true?" He said, "Yes, and if you do not believe me, you will be the sufferer. If you watch, you will see three rockets go up soon, and if you do not take my advice you will see h——l." '

SIGNAL ROCKETS AND DISABLED FIRE-HOSE.

"Within an hour afterwards *three rockets were seen to ascend from a point in front of the Mayor's dwelling.* But a few minutes elapsed before fires in quick succession broke out, and at intervals so distant that they could not have been communicated from the one to the other. At various parts of the town the soldiers of Gen. Sherman, at the appearance of the rockets, declared that they were appointed signals for a general conflagration. The fire companies, with their engines, promptly repaired to the scene of the fires, and endeavored to arrest them, but in vain. The soldiers of Gen. Sherman, with bayonets and axes, pierced and cut the hose, disabled the engines, and prevented the citizens from extinguishing the flames. The wind was high, and blew from the west. The fires spread and advanced with fearful rapidity, and soon enveloped the very heart of the town.

"The pillage, begun upon the entrance of the hostile forces, continued without cessation or abatement, and now the town was delivered up to the accumulated horrors of sack or conflagration. The inhabitants were subjected to personal indignities and outrages. A witness, Capt. W. B. Stanley, testifies 'that several times during the night he saw the soldiers of Sherman take from females bundles of clothing and provisions, open them, appropriate what they wanted and throw the remainder into the flames.' Men were violently seized and threatened with the halter, or pistol, to compel them to disclose where their gold or silver was concealed.

"The revered and beloved pastor of one of our churches, the Rev. P. J. Shand, states that, 'in the midst and during the progress of the appalling calamity, above all other noises might be heard the demoniac and gladsome shouts of the soldiery.' Driven from his home by the flames, with the aid of a servant he was bearing off a trunk containing the communion plate of his church, his wife walking by his side, when he was surrounded by five of the soldiers, who required him to put down the trunk and inform them of its contents, which was done. The sequel he thus narrates: 'They then demanded the key, but I not having it they proceeded in their efforts to break the lock. While four of them were thus engaged, the fifth seized me with his left hand by the collar, and presenting a pistol to my breast with his right he demanded of me my watch. I had it not about me, but he searched by pockets thoroughly and then joined his comrades, who, finding it

impracticable to force open the lock, took up the trunk and carried it away. These men, he adds, were all perfectly sober.'

"By 3 o'clock A M on the night of the 17th of February, 1865, more than two-thirds of the town lay in ashes, composing the most highly improved and the entire business portion of it. Thousands of the inhabitants, including women delicately reared, young children, the aged and the sick, passed that winter night in the open air, without shelter from the bitter and piercing blasts. About the hour mentioned, 3 o'clock A. M., another highly esteemed clergyman, the Rev. A. Toomer Porter, personally known to Gen. Sherman, was at the corner of a street conversing with one of his officers on horseback, when Gen. Sherman, in citizen's attire, walked up and accosted him. The interview is thus described :

'ORDER THIS THING STOPPED.'

" 'In the bright light of the burning city Gen. Sherman recognized me and remarked: "This is a horrible sight." "Yes," I replied, "when you reflect that women and children are the victims." He said: "Your Governor is responsible for this." "How so ?" I replied. "Who ever heard," he said, "of an evacuated city to be left a depot of liquor for an army to occupy? I found one hundred and twenty casks of whiskey in one cellar. Your Governor, being a lawyer or a judge, refused to have it destroyed, as it was private property, and now my men have got drunk and have got beyond my control, and this is the result." Perceiving the officer on

horseback, he said: "Capt. Andrews, did I not order that this thing should be stopped?" "Yes, General," said the Captain; "but the first division that came in soon got as drunk as the first regiment that occupied the town." "Then, sir," said Gen. Sherman, "go and bring in the second division. I hold you personally responsible for its immediate cessation." The officer darted off, and Sherman bid me good evening. I am sure it was no more than an hour and a-half from the time that Gen. Sherman gave his order before the city was cleared of the destroyers.'

"From that time until the departure of Gen. Sherman from Columbia (with perhaps one or two exceptions) not another dwelling in it was burned by his soldiers, and during the succeeding days and nights of his occupancy perfect tranquility prevailed throughout the town. The discipline of his troops was perfect, the soldiers standing in great awe of their officers. That Columbia was burned by the soldiers of Gen. Sherman—that the vast majority of the incendiaries were sober—that for hours they were seen with combustibles firing house after house, without any affectation of concealment and without the slightest check from their officers, is established by proof full to repletion, and wearisome from its very superfluity.

"After the destruction of the town his officers and men openly approved of its burning and exulted in it. 'I saw,' deposes the mayor, 'very few drunken soldiers that night. Many who appeared to sympathize with our people told me that the fate and doom of Columbia had

been common talk around their camp-fires ever since they left Savannah.'

"It was said by numbers of the soldiers that the order had been given to burn down the city. There is strong evidence that such an order was actually issued in relation to the house of Gen. Jno. S. Preston. The Ursuline Convent was destroyed by the fire, and the proof referred to comes from a revered and honored member of that holy sisterhood—the Mother Superior; and it is subjoined in her own words:

"'Our convent was consumed in the general conflagration of Columbia. Ourselves and pupils were forced to fly, leaving provisions, clothing, and almost everything. We spent the night in the open air in the churchyard. On the following morninig Gen. Sherman made a visit, expressed his regret at the burning of our convent, disclaimed the act, attributing it to the intoxication of his soldiers, and told me to choose any house in town for a convent and it should be ours. He deputed his Adjutant-General, Col. Ewing, to act in his stead. Col. Ewing reminded us of Gen. Sherman's offer to give us any house in Columbia we might choose for a convent. "We have thought of it," said we, "and of asking for Gen. Preston's house, which is large." "That is where Gen. Logan holds his headquarters," said he, "and orders have already been given, I know, to burn it on to-morrow morning; but if you say you will take it for a convent I will speak to the General, and the order will be countermanded." On the following morning, after many inquiries, we learned from the

officer in charge, (Gen. Perry, I think,) that his orders were to fire it, unless the Sisters were in actual possession of it, but if even a detachment of Sisters were in it it should be spared on their account. Accordingly we took possession of it, although fires were already kindled near, and the servants were carrying off the bedding and furniture, in view of the house being consigned to the flames.'

GRATIFYING THE GENERAL.

"Although orders for the actual burning of the town may not have been given, the soldiers of Gen. Sherman certainly believed that its destruction would not be displeasing to him. That such was their impression we have the authority of a personage not less distinguished than the officer of highest rank in the army of invaders, next after the commander-in-chief himself. The proof is beyond impeachment. It comes from the honored pastor of one of our city churches, (the Rev. P. J. Shand,) to whom reference has already been made, and it is thus expressed in his written statement in the possession of the committee:

"'As well as I recollect, November, 1865, I went in company with a friend, to see Gen. Howard, at his headquarters in Charleston, on matters of business. Before we, left the conversation turned on the destruction of Columbia. Gen. Howard expressed his regret at the occurrence, and added the following words: "Though Gen. Sherman did not order the burning of the town, yet, somehow or other, the men had taken up the idea that if they destroyed the capital of South Carolina, it

would be peculiarly gratifying to Gen. Sherman." These were his words, in the order in which I set them forth. I noted them down as having great significance, and they are as fresh in my remembrance as they were immediately after they were spoken. My friend (whose recollection accords fully with my own) and myself, on our way home, talked the matter over, and could not but be struck by the two following facts: First, that although Gen. Howard said that Gen. Sherman did not order the burning, he did not state that Gen. Sherman gave order that the city should not be burned. Second, that it was surprising, if Gen. Sherman was opposed to the burning, that his opposition should have been so disguised, as to lead to the conviction on the part of his soldiery that the act, so far from incurring his disapprobation or censure, would be a source to him of peculiar gratification.'

"The cotton bales in the town had been placed in the centre of the wide streets, in order to be burned to prevent their falling into the possession of the invaders. But upon Gen. Hampton's suggesting that this might endanger the town, and that, as the South Carolina railroad had been destroyed, the cotton could not be removed, Gen. Beauregard, upon this representation, directed Gen. Hampton to issue an order that the cotton should *not* be burned. The proof of this fact is to be found in the written statement of Gen. Beauregard himself. Accordingly, and in due time, the order forbidding the burning of the cotton was issued by Gen. Hampton, and communicated to the Confederate troops.

The officer then acting as Gen. Hampton's adjutant (Capt. Rawlins Lowndes) speaks as follows:

THE 'BURNING COTTON' MYTH.

"'Soon after Gen. Hampton assumed command of the cavalry, which he did on the morning of the 17th of February, he told me that Gen. Beauregard had determined not to burn the cotton, as the Yankees had destroyed the railroad, and directed me to issue an order that no cotton should be fired. This I did at once, and the same order was extended to the cavalry throughout their march through South and North Carolina.'

"The general officer commanding the division forming the rear guard of the Confederate cavalry (Gen. M. C. Butler) deposes: 'That he was personally present with the rear squadron of this division; that Lieut.-Gen. Wade Hampton withdrew simultaneously with him, with a part of this deponent's command, and that Gen. Hampton, on the morning of the evacuation and the day previous, directed him that the cotton must *not* be set on fire; and this order, he adds, was communicated to the entire division, and strictly observed.'

"A clergyman, highly esteemed at the North, as well as at the South, (Rev. A. Toomer Porter), thus testifies: 'Gen. Hampton had told me at daylight, in answer to the question whether he was going to burn the cotton, "No; the wind is high; it might catch something and give Sherman an excuse to burn the town.'"

"'Between 8 and 9 o'clock on the morning of the 17th of February,' deposes the mayor, 'Gen. Hampton,

whilst on his horse, observed some cotton piled not far off in the middle of the street. He advised me to put a guard over it, saying, "some careless ones, by smoking, might set it on fire, and in doing so endanger the city." From that hour I saw nothing more of Gen. Hampton until the war was over.'

"Not one bale of the cotton had been fired by the Confederate troops when they withdrew from Columbia. 'The only thing on fire at the time of the evacuation was the depot building of the South Carolina Railroad, which caught fire accidentally from the explosion of some amunition.' This is the statement of Gen. Beauregard himself. It is sustained by the testimony of the officer, high in rank but higher still in character, who commanded the rear guard of the Confederate cavalry, (Gen. M. C. Butler,) and is concurred in by other witnesses, comprising officers, clergymen, and citizens—witnesses of such repute and such numbers as to render the proof overwhelming.

"The fire at the South Carolina Railroad depot burnt out without extending to any other buildings. Shortly after the first detachment of Gen. Sherman's troops had entered the town, and whilst the men were seated or reclining on the cotton bales in Main street, and passing to and fro along them with lighted cigars and pipes, the row of cotton bales between Washington and Lady streets caught fire, the bales being badly packed, with the cotton protruding from them. The flames extended swiftly over the cotton, and the fire companies with their engines were called out, and by 1 o'clock P. M. the fire

was effectually extinguished. While the fire companies were engaged about the cotton an alarm was given of fire in the jail, and one of the engines being sent there the flames were soon subdued, with slight injury only to one of the cells.

"About 5 o'clock in the afternoon, as deposed by a witness, Mrs. E. Squire, the cotton bales in Sumter street, between Washington and Lady streets, were set on fire by Gen. Sherman's wagon train, then passing along the cotton. But that fire was soon extinguished by the efforts of the witness referred to and her family. 'I saw,' says a witness, Mr. John McKenzie, 'fire balls thrown out of the wagons against the Hon. W. F. DeSaussure's house, but without doing any damage.' No other fires in the town occurred until after night, when the general conflagration began. As already stated, the wind blew from the west, but the fires after night broke out first on the west of Main and Sumter streets, where the cotton bales were placed. 'The cotton,' it is testified and proved by Mr. Ed. J. Scott, 'instead of burning the houses was burnt by them.'

HIS 'DRUNKEN SOLDIERS.'

"Gen. Sherman, as has been shown, on the night of the 17th of February, and while the town was in flames, ascribed the burning of Columbia to the intoxication of his soldiers, and to no other cause. On the following day, the 18th of February, the lady to whom reference was first made (Mrs. L. S. McCord,) at the request of a friend, having undertaken to present a paper to Gen.

Howard, sought an interview with that officer, second in command of the invading army, and found Gen. Sherman with him. Her narrative of a part of the interview is as follows:

"'I handed him the paper, which he glanced at, and then in a somewhat subdued voice, but standing so near Gen. Sherman that I think it impossible that the latter could have help hearing him, he said: "You may rest satisfied, Mrs. ——, that there will be nothing of the kind happening to-night. The truth is, our men last night got beyond our control; many of them were shot, many of them were killed; there will be no repetition of these things to-night. I assure you there will be nothing of the kind; to-night will be perfectly quiet." And it was quiet, peaceful as the grave, the ghost of its predecessor.'

"'The same day, 18th February, Gen. Sherman,' deposes the mayor, 'sent for me. I went to see him about 1 o'clock. He met me very cordially, and said he regretted very much that our city was burnt, and that it was my fault. I asked him how? He said in suffering ardent spirits to be left in the city after it was evacuated, saying, "who could command drunken soldiers?" There was no allusion made to Gen. Hampton, to accident, or to cotton.'

"On the succeeding day, Sunday, 19th February, 1865, the mayor and six of the citizens visited Gen. Sherman, in order to obtain food for the subsistence of the women and children, until communication could be had with the country. Gen. Sherman upon that occa-

sion talked much. 'In the course of his discourse,' deposes one of the gentlemen, (Mr. Edwin I. Scott,) 'he referred to the burning of the city, admitting that it was done by his troops, but excusing them because, as he alleged, they had been made drunk by our citizens, one of whom, a druggist, he said had brought a pail full of spirits to them on their arrival. Again, on our leaving the room, he expressed regret that the liquor had not been destroyed before his men entered the place, but he never mentioned or alluded in any way to Gen. Hampton, or the cotton, nor gave the slightest intimation that they were instrumental in the destruction of the city.'

"'At that time,' deposes the same witness, 'the universal testimony of our people was that Sherman's troops burnt the town. Since then I have been in the habit of daily intercourse with all classes in and about Columbia, high and low, rich and poor, male and female, whites and blacks, yet I have not met with a single person who attributed the calamity to any other cause. If, he adds, a transaction that occurred in the presence of forty or fifty thousand people can be successfully falsified then all human testimony is worthless.'

A DESOLATED COUNTRY.

"As evidence of the general distress and suffering which resulted from the sack and burning of our city, and the desolation of the adjoining country, the committee refer to the fact, established by unimpeachable testimony, that for about three months daily rations, consisting generally of a pint of meal and a small

allowance of poor beef for each person, were dealt out at Columbia to upwards of 8,000 sufferers.

"Of the suffering and distress of the individual inhabitants, some conception may be collected from the experience of one of them, (Mrs. Agnes Law,) a lady more venerable for her virtues even than for her age, whose narrative, almost entire, we venture to introduce:

" 'I am 72 years old,' she deposes, 'and have lived in this town forty-eight years. My dwelling was a brick house, three stories, slate roof, with large gardens on two sides. When Columbia was burnt my sister was with me; also a niece of mine, recently confined, who had not yet ventured out of the house. When Gen. Sherman took possession I got four guards; they were well-behaved and sober men. I gave them supper. One lay down on the sofa, the others walked about. When the city began to burn I wished to move my furniture. They objected, and said my house was in no danger. Not long afterwards these guards themselves took lighted candles from the mantlepiece and went up-stairs; at the same time other soldiers crowded into the house. My sister followed them up-stairs, but came down very soon to say, "They are setting the curtains on fire." Soon the whole house was in a blaze. When those who set fire up stairs came down they said to me, "Old woman, if you do not mean to burn up with the house you had better get out of it." My niece had been carried up to the Taylor house on Arsenal Hill. I went to the door to see if I could get any person I knew to assist me up there. I had been very sick. I could see no friend—only crowds of Federal soldiers.

I was afraid I should fall in the street and be burnt up in the flames of the houses blazing on both sides of the street. I had to go alone. I spent that night at the Taylor house, which a Federal officer said should not be burned out of pity for my niece. The next two nights I passed in my garden, without any shelter. I have been for over fifty years a member of the Presbyterian Church. I cannot live long. I shall meet Gen. Sherman and his soldiers at the bar of God, and I give this testimony against them in the full view of that dread tribunal.'

"The committee have designed, by the preceding summary of the more prominent events and incidents connected with the destruction of Columbia, to present only an abstract of the numerous depositions and proofs in their possession. The proprieties imposed upon them by the very nature of the duties to which they have been assigned have precluded their doing more. In the evidence thus collected may be read, in all its pathetic and heartrendering details, the story of the tragic fate that has befallen our once beautiful city, now in ashes and ruins. Impressed with the historic value of the proofs referred to, and their importance to the cause of truth, and with a view to their preservation, the committee respectfully recommend that they be committed to the guardianship of the municipal authorities, and be deposited with the archives of the town, trusting that in after and better times they will yet be found effectual as well to vindicate the innocent as to confound the guilty.

J. P. CARROLL, Chairman."

May, 1866.

CHAPTER XIII.

SHERMAN AND CORNWALLIS IN NORTH CAROLINA.

SHERMAN burnt Columbia February 17, 1865, and then pushed on to Fayetteville, on the Cape Fear. His campaign was an able one, for he kept in touch with salt water from the time he reached it at Savannah up to the surrender of Johnston's army.

At Fayetteville he opened communication with Gen. Terry on March 12th, the Federals having taken Fort Fisher, and occupied Wilmington.

From there he moved on to Goldsborough, N. C., where he expected to be joined by Schofield and his 23,000 reinforcements.

When Cornwallis pursued Greene, in February, 1781, just eighty-four years before, he moved through the western part of the State. When he retreated, after the battle of Guilford court-house, he fell back to Cross creek, now Fayetteville, so a part of his march was over the same country that Sherman moved over. On his advance he was attacked everywhere. His pickets were fired on in the night; his scouts were shot down from the bush. Graham, with a handful of country boys, held him back at Charlotte, "the Hornet's Nest," for half a day. But Cornwallis burnt no towns; he laid waste no plantations; his soldiers hung no old men, and dug up no children's corpses, to get treasure.

When he reached Fayetteville on his way to Wil-

mington, his troops halted one day in the road in front of a plantation house. The mistress of the house, a gay and beautiful young matron of eighteen, with the impulsive curiosity of a child, ran out on the front piazza to gaze at the pageant.

A party of officers dismounted and approached the house, when she asked the foremost "Was Lord Cornwallis there? She wanted to see a Lord."

"Madame," said the gentleman, removing his hat, "I am Lord Cornwallis." Then, with the formal courtesy of the day, he led her into the house, giving to the frightened family every assurance of protection. With the high breeding of a gentleman, and the frankness of a soldier, he won all hearts during his stay, from the venerable grandmother to the gay girl who first accosted him.

While the army remained, not an article was disturbed on the plantation, though, as he himself warned them, there were stragglers in his wake, whom he could not detect, and who failed not to do what mischief they could, in the way of plundering, after he had passed.

That girl's grand-daughters now tell that story of chivalry and respect for defenceless women.

Her grandson, Charles B. Mallett, Esq., tells this story of that other army that passed there, in 1865, eighty-four years afterwards:

"The china and glassware were all carried out of the house by the Federal soldiers, and deliberately smashed in the yard. The furniture—piano, beds, tables, bureaus—were all cut to pieces with axes; the pantries

and smoke-houses were stripped of their contents; the negro houses were all plundered; the poultry, cows, horses, &c., were shot down and carried off, and then, after this, all the houses were fired and burnt to the ground."

The cotton factory belonging to the family was burned as were also six others near Fayetteville. John M. Rose, Esq., a near neighbor of the Malletts, says: "They plundered my house of everything and robbed all the negroes. They fired the buildings and fences and left a dozen slaughtered cattle in my yard."

Four gentlemen were hung by the neck until nearly dead to force them to tell where valuables were hidden.

The property taken from another family, in jewels, plate, money, &c., was estimated to be worth $25,000 in gold.*

Governor Z. B. Vance, who was governor of North Carolina during the war, and has been her representative in the Senate of the United States nearly ever since, has drawn the contrast between the invasion by Cornwallis and Tarleton, in 1781, and Sherman and Kilpatrick, in 1865. He says:

"On the 1st day of February, 1805, that movement began. With irresistible force his columns began their march through the southern regions of South Carolina towards Columbia, and apparently Charlotte, North Carolina, and so on into Virginia along the track of Sherman's last great predecessor, Lord Cornwallis, in 1781. But whether it was that he feared the winter

* The Last Ninety Days of the War.—p. 65.

mud of the North Carolina hill country, or that he did not care to trust himself to such combinations of the Confederates as might cross his path so far in the interior, he left Lord Cornwallis' track near Winnsboro', South Carolina, and turning to the right made for Fayetteville, crossing the Catawba and the Great Pedee. His army marched in two great divisions, near a day's march apart, thus covering and devastating a wide expanse of country. With reference to this famous and infamous march, I wish to say that I hope I am too much of a man to complain of the natural and inevitable hardships, or even cruelties, of war; but of the manner in which this army treated the peaceful and defenceless inhabitants in the reach of its columns, all civilization should complain. There are always stragglers and desperadoes, following in the wake of an army, who do *some* damage to, and inflict *some* outrages upon helpless citizens, in spite of all the efforts of commanding officers to restrain and punish; but when a General organizes a corps of thieves and plunderers as a part of his invading army, and licenses beforehand their outrages, he and all who countenance, aid or abet, invite the execration of mankind. This peculiar arm of the military service, it is charged and believed, was instituted by Gen. Sherman in his invasion of the Southern States. Certain it is that the operations of his 'Bummer Corps' were as regular and as unrebuked, if not as much commended for efficiency, as any other division of his army, and their atrocities are often justified or excused on the ground that 'such is war.'

"In his own official report of his operations in Georgia, he says: 'We consumed the corn and fodder in the region of country thirty miles on either side of a line from Atlanta to Savannah; also the sweet potatoes, hogs, sheep and poultry, and carried off more than ten thousand horses and mules. I estimate the damage done to the State of Georgia at one hundred million dollars, at least twenty million of which inured to our benefit, and the remainder was simply waste and destruction!' The same chivalric course of warfare was continued, only worse, through South and North Carolina. The '*remainder*,' delicately alluded to—that is to say, the damage done to the unresisting inhabitants, over and above the seizing of necessary army supplies, consisted in private houses burned; stock shot down and left to rot; bed clothes, money, watches, spoons, plate and ladies' jewelry stolen, &c., &c. A lane of desolation sixty miles wide, through the heart of three great States, marked by more burnings and destruction than ever followed in the wake of the wildest cyclone that ever laid forest low! And all done, not to support an invading army, but for "pure waste and destruction;" to punish the crime of rebellion, not in the persons of those who had brought these things about, but of the peaceful non-combatants, the tillers of the soil, the women and children, the aged and feeble, and the poor slaves! A silver spoon was evidence of disloyalty; a ring on a lady's finger was sure proof of sympathy with rebellion; whilst a gold watch was *prima facia* evidence of most damnable guilt on the part of the wearer. These

obnoxious ear-marks of treason must be seized and confiscated for private use—for such is war!

"As proof that these things met the approbation of the officers of that army, hundreds of instances can be cited, where the depredations were committed in full view of the officers. Many can be shown where they participated in the plunder; and no where has any case come under my observation, or under my knowledge, in which the perpetrators were even rebuked, much less punished. In vain did the terrified people secrete their valuables upon the approach of Sherman's army; with infernal skill this corps of bummers maintained their high reputation as the most expert thieves on earth, by ransacking every conceivable place of concealment, penetrating every suspicious spot of earth with their ramrods and bayonets, searching every cellar, out-house, nook and cranny.

"If these failed, and they sometimes did, torture of the inhabitants was freely employed to force disclosure. Sometimes, with noble rage at their disappointment, the victims were left dead, as a warning to all others who should dare hide a jewel, or a family trinket from the cupidity of a 'Soldier of the Union.' No doubt the stern necessity for such things caused great pain to those who inflicted them, but the Union must be restored, and how could that be done whilst a felonious gold watch, or treasonable spoon, was suffered to remain in the land, giving aid and comfort to rebellion? For such is war! Are such things war, indeed? Let us see:

"Eighty-four years before that time, there was a war

in that same country; it was a rebellion, too, and an English nobleman led the troops of Great Britain through that same region, over much of the same route, in his efforts to subdue that rebellion. The people through whose land he marched were bitterly hostile; they shot his foraging parties, his sentinels and stragglers· the fired upon him from every wood.

"He and his troops had every motive to ..ate and to punish those rebellious and hostile people. It so happens that the original order-book of Lord Cornwallis is in possession of the North Carolina Historical Society. I have seen and read it. Let us make a few extracts, and see what he considered *war*, and what he thought to be the duty of a civilized soldier towards non-combatants and the helpless :

"CAMP NEAR BEATTY'S FORD," January 28, 1781.

"Lord Cornwallis has so often experienced the zeal and good will of the army, that he has not the smallest doubt that the officers and soldiers will most cheerfully submit to the ill conveniences that must naturally attend war, so remote from water-carriage and the magazines of the army. The supply of rum for a time will be absolutely impossible, and that of meal very uncertain. It is needless to point out to the officers the necessity of preserving the strictest discipline, and of preventing the oppressed people from suffering violence by the hands from whom they are taught to look for protection.'

"Now, Gen. Sherman was fighting, as he said, for the sole purpose of restoring the Union, and for making the people of the rebellious States look to the Union for protection. Does any act or order of his anywhere indicate a similar desire of protecting the people from suffering at the hands of those whose duty it was to protect them?

"Again—

'HEADQUARTERS, CANSLER'S PLANTATION,' February 2, 1781.

'Lord Cornwallis is highly displeased that several houses have been set on fire to-day during the march—a disgrace to the army—and he will punish to the utmost severity any person or persons who shall be found guilty of committing so disgraceful an outrage. His Lordship requests the commanding officers of the corps will endeavor to find the persons who set fire to the houses this day.'

"Now, think of the march of Sherman's army, which could be discovered a great way off by the smoke of burning homesteads by day and the lurid glare of flames by night, from Atlanta to Savannah, from Columbia to Fayetteville, and suppose that such an order as this had been issued by its commanding officer, and rigidly executed, would not the mortality have been quite equal to that of a great battle?

"Arriving in Fayetteville on the 10th of March, 1865, he not only burned the Arsenal—one of the finest in the United States—which, perhaps, he might have properly done, but he also burned five private dwelling-houses nearby; he burned the principal printing office, that of the old 'Fayetteville Observer;' he burned the old Bank of North Carolina, eleven large warehouses, five cotton mills, and quite a number of private dwellings in other parts of the town, whilst in the suburbs almost a clean sweep was made. In one locality nine houses were burned. Universally, houses were gutted before they were burned; and, after everything portable was secured, the furniture was ruthlessly destroyed. Pianos,

on which perhaps rebel tunes had been played—'Dixie' or 'My Maryland'—disloyal bureaus, traitorous tables and chairs were cut to pieces with axes; and frequently, after all this damage, fire was applied and all consumed. Carriages and vehicles of all kinds were wantonly destroyed or burned. Instances could be given of old men who had the shoes taken from their feet, the hats from their heads and clothes from their persons; their wives and children subjected to like treatment. In one instance, as the marauders left, they shot down a dozen cattle belonging to an old man and left their carcasses lying in the yard. Think of that, and remember the grievances of the Pennsylvania Dutch farmers, who came, in all seriousness, to complain to Gen. Longstreet, in the Gettysburg campaign, of the outrage which some of his ferocious rebels had committed upon them *by milking their cows!* On one occasion, at Fayetteville, four gentlemen were hung by the neck until nearly dead to force them to disclose where their valuables were hidden, and one of them was shot to death.

"Again—

'HEADQUARTERS DOBBINS HOUSE,'
February 17, 1781.

'Lord Cornwallis is very sorry to be obliged to call the attention of the officers of the army to the repeated orders against plundering, and he assures the officers that if their duty to their King and country, and their feeling for humanity, are not sufficient to force obedience to them, he must, however, reluctantly make use of such powers as the military laws have placed in his hands. * * * * It is *expected* that Captains will exert themselves to keep good order and prevent plundering. * * * * *Any officer who looks on with indifference*

and does not do his utmost to prevent shameful marauding will be considered in a more criminal light than the persons who commit these scandalous crimes, which must bring disgrace and ruin on his Majesty's service. All foraging parties will give receipts for the supplies taken by them.'

"Now, taking it for granted that Lord Cornwallis, a distinguished soldier and a gentleman, is an authority on the rights of war, could there be found anywhere a more damnatory comment upon the practices of General Sherman and his Army?

"Again—

'HEADQUARTERS, FREELANDS,
February 28, 1781.

'*Memorandum:*'

'A watch found by the regiment of Bose. The owner may have it from the Adjutant of that regiment upon proving property.'

"Another—

'SMITH'S PLANTATION,'
March 1, 1781.

'*Brigade Orders*'

* * * * 'A woman having been robbed of a watch, a black silk handkerchief, a gallon of peach brandy and a shirt, and as by description, by a soldier of the guards, the camp, and every man's kit is to be immediately searched for the same, by the officer of the brigade.'

"Are there any poets in the audience, or other persons in whom the imaginative faculty has been largely cultivated? If so, let me beg him to do me the favor of conceiving, if he can, and make manifest to me, the idea of a notice of a lost watch being given, in general orders, by Wm. Tecumseh Sherman, and the offer to

return it on proof of property by the rebel owner! Let him imagine, if he can, the searching of every man's kit in that army, for a stolen watch, a shirt, a black silk handkerchief and a gallon of peach brandy—because 'such is war.'

"Time and your patience forbids that I should further quote from this interesting record of the war of 1781. Suffice it to say that the whole policy and conduct of that British commander was such as to indicate unmistakably that he did not consider the burning of private houses, the stealing of private property, and the outraging of helpless, private citizens as *War*, but as robbery and arson. I venture to say up to the period when that great march taught us the contrary, no humane general or civilized people in Christendom believed that '*such was war.*' Has civilization gone backward since Lord Cornwallis' day? Have arson and vulgar theft been ennobled into heroic virtues? If so, when and by whom? Has the art of discovering a poor man's hidden treasure by fraud or torture been elevated into the strategy which wins a campaign? If so, when and by whom?

"No, sir, it will not do to slur over these things by a vague reference to the inevitable cruelties of war. The time is fast coming when the conduct of that campaign will be looked upon in the light of real humanity, and investigated with the real historic spirit which evolves *truth;* and all the partisan songs which have been sung, or orations which subservient orators have spoken, about that great march to the sea; and all the carica-

tures of Southern leaders which the bitterness of a diseased sectional sentiment has inspired; and all the glamour of a great success, shall not avail to restrain the inexorable, the illuminating pen of history. Truth, like charity, never faileth. Whether there be prophecies they shall fail; whether there be tongues they shall cease; whether there be knowledge it shall vanish away; but when the truth, which is perfect, has come, then that what is in part shall be done away.

"Now let us contrast Gen. Sherman with his greatest foe, likewise the greatest, certainly the most humane, general of modern times, and see whether *he* regarded the pitiless destruction of the substance of women and children and inoffensive inhabitants as legitimate war."

'HEADQUARTERS ARMY NORTHERN VIRGINIA,
June 27, 1863.

'*General Order No. 73.*

'The Commanding General has observed with marked satisfaction the conduct of the troops on the march. There have, however, been instances of forgetfulness on the part of some that they have in keeping the yet unsullied reputation of this army, and that the duties exacted of us by civilization and Christianity are not less obligatory in the country of the enemy than our own. The Commanding General considers that no greater disgrace could befall the army, and through it our whole people, than the perpetration of barbarous outrages upon the unarmed and defenceless, and the wanton destruction of private property, that have marked the course of the enemy in our own country. * * * * It will be remembered that we make war only upon armed men.

'R. E. LEE, *General.*'

"The humanity and Christian spirit of this order was such as to challenge the admiration of foreign nations.

The 'London Times' commented upon it, and its American correspondent said: 'The greatest surprise has been expressed to me by officers from the Austrian, Prussian and English armies, each of which have representatives here, that volunteer troops, provoked by nearly twenty-seven months of unparalleled ruthlessness and wantonness, of which their country has been the scene, should be under such control, and willing to act in harmony with the long-suffering and forbearance of President Davis and Gen. Lee.'

"To show how this order was executed, the same writer tells a story of how he witnessed, with his own eyes, Gen. Lee and a surgeon of his command repairing the damage to a farmer's fence. Col. McClure, of Philadelphia, a Union soldier himself, bears witness to the good conduct of Lee's ragged rebels in that famous campaign. He tells of hundreds of them coming to him and asking for a little bread and coffee, and of others who were wet and shivering 'asking permission' to enter a house in which they saw a bright fire, to warm themselves until their coffee should be ready.

"Hundreds of similar instances could be given, substantiated by the testimony of men on both sides, to show the splendid humanity of that great invasion. Blessed be the good God, who, if in His wisdom, He denied us success, yet gave to us and our children the rich inheritage of this great example.

"Now, there is Lee's order on entering Pennsylvania, and there are the proofs referred to of the good faith with which that order was executed. Was any such humane

order issued by Gen. Sherman when he began his march through Georgia, South and North Carolina? If so, let the numberless and atrocious outrages which characterized his every step, speak as to the *mala fides* with which it was executed. Let a few other things also speak. Major-Gen. Halleck, then, I believe, commander-in-chief, under the President, of the armies of the Union, on the 18th of December, 1864, dispatched as follows to Gen. Sherman, then in Savannah. 'Should you capture Charleston, I hope that by some *accident* the place may be destroyed; and if a little salt should be sown upon its site it may prevent the growth of future crops of nullification and secession.' On the 24th of December, 1864, Gen. Sherman made the following answer: 'I will bear in mind your hint as to Charleston, and don't think "salt" will be necessary. When I move, the Fifteenth Corps will be on the right of the right wing, and their position will bring them naturally into Charleston first, and if you have watched the history of that corps you will have remarked that they generally do their work up pretty well. The truth is, the whole army is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble at her fate, but feel that she deserves all that seems in store for her. * * * I look upon Columbia as quite as bad as Charleston!' Therefore, Columbia was burned to ashes. And though he knew what was in store for South Carolina, so horrible that even he trembled, he took no steps to avert it, for he felt that she deserved it all. Did she, indeed? What crime had she committed that placed her outside the

protection of the law of civilized nations? What unjust and barbarous or brutal conduct had she been guilty of to bring her within the exceptions laid down by the writers on the laws of war as authorizing extraordinary severity of punishment? They are not even imputed to her. South Carolina's crime and the crime of all the seceding States was that of a construction of the constitution of the United States, differing from that of Gen. Sherman and the Fifteenth Corps, which 'always did its work pretty well.'

"Happily, the Divine Goodness has made the powers of recuperation even superior to those of destruction; and though their overthrow was so complete that 'salt' was not needed as the type of utter desolation, yet Marietta and Atlanta are thriving and prosperous cities; and Columbia has once more resumed her poetic name—the city of roses; and but recently I read, with satisfaction, that the good old town of Fayetteville is fast rebuilding her factories, and boasts of having but lately recovered much of her ancient trade.

"I mean further to contrast this march to the sea with the opinions of the great American writer on international law, Chancellor Kent. Treating of plunder on land and depredations on private property, he says: (part 1, sec. 5.) 'Such conduct has been condemned in all ages, by the wise and the virtuous, and it is usually punished severely by those commanders of disciplined troops who have studied war as a science, and are animated by a sense of duty or love of fame. * * * If the conqueror goes beyond these limits wantonly, or

when it is not clearly indispensable to the just purposes of war, and seizes private property of pacific persons for the sake of gain, and destroys private dwellings or public edifices devoted to civil purposes only, or makes war upon monuments of art and models of taste, he violates the modern usages of war, and is sure to meet with indignant resentment, and to be held up to the general scorn and detestation of the world.' If Kent, although studied by Gen. Sherman at West Point, be not a sufficient authority for his condemnation, let us try him by the opinion of Major-Gen. Halleck—the 'salt' suggester above referred to, and see what he says in his cooler moments concerning the rights of unarmed inhabitants during war.

"In his International Law and Laws of War, published in 1861, treating of the ancient practice which made all private property of the enemy subject to confiscation, he says: 'But the modern usage is not to touch private property on land without making compensation, except in certain specified cases. These exceptions may be stated under three general heads: First, confiscations or seizures by way of penalty for military offenses; second, forced contributions for the support of the invading army, or as an indemnity for the expenses of maintaining order and affording protection to the conquered inhabitants; and, third, property taken on the field of battle, or in storming a fortress or town.'

"Again, the same author says (Chap. 19, page 451): 'The evils resulting from irregular requisitions and foraging for the ordinary supplies of an army are so very

great, and so generally admitted, that it has become a recognized maxim of war, that the commanding officer who permits indiscriminate pillage, and allows the taking of private property without a strict accountability * * * fails in his duty to his own government, and violates the usages of modern warfare. It is sometimes alleged, in excuse for such conduct, that the General is unable to restrain his troops; but, in the eye of the law, there is no excuse, for he who cannot preserve order in his army has no right to command it.'

"Once more, let us bring this General to the test of the code, prepared for the government of the armies of the United States, by Frances Lieber:

"Section 20 reads as follows: 'Private property, unless forfeited by crimes or by offenses of the owner against the safety of the army or the dignity of the United States, and after due conviction of the owner by court martial, can be seized only by way of military necessity for the support or other benefit of the army or of the United States.'

"Section 24 reads: 'All wanton violence committed against persons in the invaded country; all destruction of property not commanded by the authorized officer; all robbery; all pillage or sacking, even after taking a place by main force; all rape, wounding, maiming or killing of such inhabitants, are prohibited under the penalty of death, or such other severe punishment as may seem adequate for the gravity of the offence.'

"Section 27 reads as follows: 'Crimes punishable by

all penal codes, such as arson, murder, maiming, assaults, highway robbery, theft, burglary, fraud, forgery, and rape, if committed by an American soldier in a hostile country against its inhabitants, are not only punishable as at home, but in all cases in which death is not inflicted, the severer punishment shall be preferred, because the criminal has, as far as in him lay, prostituted the power conferred on a man of arms, and prostrated the dignity of the Uuited States.'

"One more short quotation from this code prepared by Dr. Lieber I will give, not so much for its authority as because it is so eminently ludicrous in the light of the way in which it was observed by Sherman's bummers. Listen—

"Section 40: 'It is the usage in European armies that money and all valuables on the person of a prisoner, such as watches or jewelry, as well as extra clothing, belong to the captor; but it distinguishes the army of the United States that the appropriation of such articles or money is considered dishonorable, and not suffered by the officers.' Ah!

"To the same effect are all the great writers on public law for more than two centuries back. Wolsey, Vattel Grotius, Puffendorf, Polson, Jomini, and the rest of them, almost without exception. In fact every one of any note condemns in unmistakable terms the destruction and indiscriminate pillaging of private property of unarmed people in time of war. Even the followers of Mahomet, cruel and blood-thirsty as they were, recognized to its full extent the justice and propriety of these principles.

The Caliph, Abubekr, in 634, when sending forth his generals to the conquest of Syria, gave them instructions which Gen. Sherman cannot read without a sense of shame. Abubekr, an old man, accompanied the army on foot on its first day's march, and when the blushing leaders attempted to dismount, says the historian, the Caliph removed their scruples by a declaration that those who rode and those who walked in the service of religion were equally meritorious. 'Remember,' said the successor of the Prophet to the chiefs of the Syrian army, that you are always in the presence of God, on the verge of death, in the assurance of judgment, and the hope of paradise. Avoid injustice and oppression, consult with your brethren and study to preserve the love and confidence of your troops. When you fight the battles of the Lord acquit yourselves like men, without turning your backs, but let not your victory be stained with the blood of women or children. Destroy no palm trees, nor burn any fields of corn. Cut down no fruit trees, nor do any mischief to cattle, only such as you kill to eat. When you make any covenant or article, stand to it, and be as good as your word. As you go on, you will find some religious persons who live retired in monasteries and propose to themselves to serve God in that way, let them alone, and neither kill them nor destroy their monasteries.' This is neither a bad exposition of the laws of war or of the principles of Christianity.

"As far back in the history of our race as four hundred years B. C., the great Xenophon, in the Cyropedia,

puts in the mouth of his hero Cyrus, the Prince of Persia, an order directing that his army, when marching upon the enemy's borders, should not disturb the cultivators of the soil. Now let us draw the contrast in the conduct of Gen. Sherman and the Arab chieftain, who denied Christianity, and the old Greek pagan who had never heard of Christ. Let us take no Southern man's testimony; there are plenty of honest and truthful soldiers of the Union, who were with the Federal army and served in its ranks, to tell all we want and more. This is what one of them says, writing of that campaign to the "Detroit Free Press:" "One of the most devilish acts of Sherman's campaign was the destruction of Marietta. * * * The Military Institute, and such mills and factories as might be a benefit to Hood, could expect the torch, but Sherman was not content with that; the torch was applied to everything, even to the shanties occupied by the colored people. No advance warning was given. The first alarm was followed by the crackling of flames. Soldiers rode from house to house, entered without ceremony, and kindled fires in garrets and closets, and stood by to see that they were not extinguished."

"Again, he says: 'Had one been able to climb to such a height, at Atlanta, as to enable him to see for forty miles around, the day Sherman marched out, he would have been appalled at the destruction. Hundreds of houses had been burned; every rod of fence destroyed; nearly every fruit tree cut down; and the face of the country so changed that one born in that section could

scarcely recognize it. The vindictiveness of war would have trampled the very earth out of sight, had such a thing been possible.'

"Again, he says: 'At the very opening of the campaign, at Dalton, the Federal soldiery had received encouragement to become vandals. Not one private soldier out of every forty turned robber or incendiary, but there were enough to cast a stigma on the whole. From Dalton to Atlanta every house was entered a dozen times over, and each new band of foragers robbed it of something. When there was nothing in the shape of money, provisions, jewelry or clothing left, the looters destroyed furniture, abused women and children, and ended by setting fire to the house. As these parties rode back to camp, attired in dresses and bonnets, and exhibiting the trophies of their raid, and nothing was said to them, others were encouraged to follow suit. The treatment of colored women was brutal in the extreme, and not a few of them died from the effects. One who has the nerve to sit down and listen to what they can tell will find his respect for the ignorant and savage Indians increased. But these were preparatory lessons. When Sherman cut loose from Atlanta, *everybody* had license to throw off restraint and make Georgia "drain the bitter cup." The Federal who wants to learn what it was to license an army to become vandals should mount a horse at Atlanta and follow Sherman's route for fifty miles. He can hear stories from the lips of women that would make him ashamed of the flag that waved over him as he went into battle. When the army had passed,

nothing was left but a trail of desolation and despair. No house escaped robbery; no woman escaped insult; no building escaped the fire-brand, except by some strange interposition. War may license an army to subsist on the enemy, but civilized warfare stops at live-stock, forage and provisions. It does not enter the houses of the sick and helpless, and rob women of finger-rings and carry off their clothing.

'Add to all these horrors that most merciless and inhuman order of expatriation, by which the entire population of Atlanta, of all ages, sex and conditions, were driven forth to the fields of a desolated country, or shipped off to the rear like cattle; an order which was followed by the "deliberate burning of Atlanta" by Sherman's own account. But I have said enough about these horrors, for it is exceedingly unpleasant to speak of them. Yet they must be told, if for nothing else than to excite the execration of humane people, and they will be told more hereafter than ever before. It is not worth while to cry hush. The truth is entitled to be known.'"

I have made this record of the Federal military operations in Georgia and South Carolina, to show what consequences flowed from Johnston's removal from the Army of Tennessee before Atlanta.

It was said that he would not stop retreating, and that he would finally take refuge in the everglades, as Osceola had done before him. But even if this had been true, it was better to have kept the Army of Tennessee in hand, as he had done from Dalton to Atlanta, to confront Sherman and to control his movements, than

to send it off, leaving him absolutely unchecked and unmoderated.

In justice to the administration at Richmond, it must be said that it held on to Johnston for a long time against a tremendous popular pressure, and in spite of a great popular clamor. Mr. Seddon, the Confederate Secretary of War, was a warm admirer of Johnston, and was his personal friend, with great confidence in his ability.

Lee remonstrated against his removal, and the first order he issued in February, 1865, after he had been placed in command of all the armies of the Confederate States, was to assign Johnston to the command of the Army of Tennessee, and all the troops in Georgia, South Carolina and North Carolina.

From the day Sherman started from Savannah, his movements were so well masked that the Confederate authorities could not decide where he intended to strike.

At first Charleston was supposed to be his objective, but when he moved into Columbia it was understood that he was going by Charlotte, Salisbury, Greensboro, Danville, to unite with Grant.

The movements at Newbern—repairing the railroad and arranging docks and wharves—if known, did not attract attention. But the whole month of January, 1865, was employed putting Newbern into condition to be a great depot, and Schofield was promptly transported there, to be ready for Sherman when he approached Goldsboro.

General Johnston was residing in Lincolnton, North Carolina, attending his wife, whose health was very in-

firm, where, on January 23, 1865, he received instructions by telegraph to report to General Lee at Petersburg, recently appointed General-in-chief. A telegram from Gen. Lee, in anticipation of such a report to him, was received the same day. In it he directed him to assume command of the Army of Tennessee, and of all troops in South Carolina, Georgia and Florida, and to "concentrate all available forces, and drive back Sherman." Beauregard had before then been in command of South Carolina and part of Florida and Georgia, and before accepting the command tendered, Johnston visited him in Charlotte, to ascertain if the arrangement was agreeable to him.

Being assured by Beauregard that the feeble and precarious condition of his health made the order exceedingly satisfactory and desirable to him, Beauregard gave him a copy of a dispatch, which he had the day before addressed to General Lee, in which the same feeling was expressed.

Relieved from all embarassment at superceding this illustrious soldier—his friend and comrade in two wars—Johnston assumed the responsibility of the command, with a full sense that nothing was to be done, except to save the further effusion of blood, and secure the best terms for the States and the people of the South, that could be extorted from their adversaries. The trans-Mississippi was in the hands of the Federals. The fall of Atlanta had secured them all the States west of the Savannah and south of the Ohio. Sherman's march had crushed

South Carolina like an eggshell. Charleston, Wilmington and Mobile had fallen, and the Confederacy was surrounded from Cape Charles, on the Chesapeake, to the Rio Grande with a cordon of fire and shot and shell.

Under these circumstances, Johnston undertook the command. His orders were to concentrate the troops in his department and drive back Sherman.

The Army of Tennessee—the "*disjecta membra*" of that gallant army he had led in glorious retreat from Dalton to Atlanta—after having been dashed to pieces on the rocks of Franklin and Nashville, was percolating, sifting through the country by skeleton brigades, regiments, batteries, to report to Beauregard in North Carolina. From Mississippi, where the fragments of Nashville had lodged, it was carried by rail to Augusta, Georgia; thence they marched northeast to Charlotte.

Stevenson, Stewart and Lee, Cheatham, Wheeler and Battle, the knights of the crusade behind Sherman, were all moving as fast as they could, and men's legs would carry them into North Carolina, to rally to Beauregard—the hero of Manassas and the defender of Charleston—to head off Sherman.

Under orders, Johnston took up the flag and moved to the front. He had about five thousand men of the Army of Tennessee, and about eleven thousand who had been holding Charleston, under Hardee, and Wilmington under Whiting. Sherman had seventy thousand infantry and five thousand cavalry.

The fragments of the Army of Tennessee in small

bodies were hastening through South Carolina, with no rations, no transportation, no assistance from their government, to help Johnston and Beauregard to drive back the invader.

It was a hopeless task, a duty absolutely without any chance of success to reward it, but these soldiers from Missouri, from Arkansas, from Texas, from west of the Mississippi, and from the other Southwestern States, marched, many of them, from Iuka, Mississippi, without arms, rations or pay, to Raleigh, North Carolina, to defend their country, and to do their duty. All hope of saving their cause was utterly lost. The reinstatement of Johnston had roused enthusiasm all through the Southwest, and the soldiers of the Army of Tennessee flocked to the standard of "Old Joe," to stand by him to the last.

They were largely without arms, and absolutely without wagons or transportation. Johnston was ordered to draw his supplies from the country, although he found in the principal railroad depots between Charlotte, Danville and Weldon, rations for four months for sixty thousand men, which were reserved for the Army of Northern Virginia.

Upon reporting to General Lee the condition of affairs in North Carolina, General Johnston suggested that all the troops in that State should be put under his command.

This suggestion was adopted, and 8,000 men, under Bragg, near Goldsboro, were added to the force under his control. It is singular that Johnston had no certain

information of what troops were at Newbern, or what disposition there was of Federal troops in North Carolina.

He says, that "the course of the Federal march from Winnsborough indicated that it would cross the Cape Fear at Fayetteville and there be joined by Schofield at Wilmington." But Schofield was then at Newbern.

Leaving Beauregard to protect the line of railroad from Charlotte to Danville, Gen. Johnston selected Smithfield as the point of rendezvous for all his troops, and, on March 4, established his headquarters at Fayetteville. Sherman's plan would not be developed until he approached the centre of the State, whether he proposed to march from Goldsboro directly on Petersburg, by way of Weldon, or whether by way of Greensboro and Danville, to unite with Grant in Virginia. Inasmuch as the Wilmington & Weldon road was of little further use, for Wilmington and Charleston were in the possession of the Federals, and could no longer supply Lee, it was most reasonable to conjecture that Sherman would take the Western line, break Lee's communication at Greensboro with the South, and then move on Burkeville, where the railroad from Petersburg to Lynchburg crosses the railroad from Richmond to Danville, and thus cut Lee off from all railroad communication with Western North Carolina, Georgia, Southwestern Virginia and East Tennessee. He would thus be effectually cooped up.

Goldsboro is about sixty miles northeast from Fayetteville and fifty miles southeast from Raleigh. Newbern is fifty miles east from Goldsboro. Smithfield is half

way between Goldsboro and Raleigh. It was, therefore, the point from which Johnston could guard both, the road to Weldon and that to Raleigh.

On the 6th of March, Gen. Bragg, at Goldsboro, reported that a large Federal force was advancing from Newbern, and was then but nine miles from Kinston. He asked that the troops just arrived at Smithfield from Charlotte be sent him, so he could attack. Major-Gen. D. H. Hill, who commanded the troops at Smithfield, was ordered to Bragg, and, on March 7, joined him at Kinston with about 2,000 men.

Bragg at once attacked the enemy—three divisions under Major-Gen. Cox. He drove them three miles, capturing 1,500 prisoners and 3 field pieces, with little loss.

On the 10th of March, Bragg attempted to turn the Federal entrenchments, but was obliged to withdraw; and though his actual loss in men was slight, his substantial loss in *morale*, which had been gained by their previous success, was great.

Lieut.-Gen. Hampton, with Butler and Wheeler's divisions of cavalry, was in front and on the left of Sherman, who was moving in two columns about a day's march apart.

Hardee was hard pushed to get through Cheraw, before Sherman reached there, and moved on to Fayetteville, where he halted on the 9th and 10th of March.

High water in the Pedee forced Hampton far to the west, and, when he crossed the river, Sherman had passed it two days before and was then between him and Fayetteville.

He found Kilpatrick directly in his road, surprised him in his camp at daybreak on the 10th, drove him into the swamp, where his people rallied, and made a spirited attack on the Confederates, and eventually drove them off. Hampton and Wheeler thought the Federal loss much greater than theirs, although they suffered a great deal.

But the Confederate attack opened the road to Fayetteville, where Hampton and Wheeler at once rejoined Hardee.

Sherman's advance was then only seven miles from Fayetteville. Hardee crossed the Cape Fear and burnt the bridges, leaving Hampton to hold Sherman to some terms of moderation.

On 11th of March the cavalry advance of the Federals charged the town with a squadron. Hampton was sitting on the piazza of the Tavern, with only his couriers about him; as the commanding officer always will be sitting in a shady and cool place, when his adversary charges his pickets, and rides helter-skelter with them, through the reserve into the camp.

One leap from the piazza to the saddle put Hampton armed for the onset, another half minute he and the couriers were riding down the Federal advance. Six men fell under Hampton's sabre in that ride.

But the Confederate situation then was desperate. There was no hope. Everybody understood it—from the teamster with his team, to Gen. Johnston at headquarters.

The only thing left to be done by brave men was to

fight for terms. Everybody wanted peace, and knew that peace was about to come, but the Confederates fought for peace with honor, with law, not the peace of desolated Poland.

No one understood this more perfectly than Gen. Johnston. He had Bragg's army, of North Carolina, of 8,000, Hardee's of Charleston, of less than 10,000 men, Lieut.-Gen. Hampton, with the divisions of Major-Gens. M. C. Butler and Joseph Wheeler, held the cavalry of probably 3,000 men in the advance, and left flank of Sherman's columns.

Sherman marched 70,000 seasoned infantry and 5,000 fair cavalry in two columns, the heads of which were nearly a day's march apart.

Therefore, if Johnston could club all his force and strike the head of one Federal column, he might do it such harm before the other got to it, as to produce pacific sentiments in the minds of the Federal authorities. A stout club, properly and seasonably used, has a most pacifying effect.

Sherman had not yet developed whether he was to march direct on Raleigh or on Goldsboro. Wheeler was placed across the Raleigh road, and Butler on that to Goldsboro. On March 14th, Wheeler, entrenched at Silver Creek, easily drove back the cavalry advance of Sherman. But on March 15, the Fourteenth and Twentieth Corps pushed Wheeler out of the way, and pressed on toward Raleigh.

Hardee had entrenched a position four miles south of Averysboro, but the enemy forced him out by turning

his left. He fell back only four hundred yards, to a better position. This he held against repeated attacks during the day of March 16th, and at night, hours after the fighting had ceased, fell back to Elevation, a position near Smithfield, being informed by Hampton that Sherman was crossing above and below him.

General Hardee reported that his loss was in killed, wounded and missing, about 500, and prisoners taken reported the Federal loss at over 3,000. The report of prisoners in battle is utterly unreliable, and no heed should be given to them. They are not first-class men. They have no opportunity for knowledge, and they are "rattled," therefore, they are unreliable witnesses. But General Sherman reports his loss at 77 killed and 407 wounded.

Says Johnston, an acute judge of men and of soldiers: "If that report is true, it proves that Sherman's army had been utterly demoralized by its course of life on Southern plantations. Those soldiers, when fighting between Dalton and Atlanta, could not have been driven back repeatedly, by a fourth of their number, with a loss so utterly insignificant. It is unaccountable, too, that the party fighting under cover, and holding its ground, should have 180 men killed; that, unsheltered and repulsed, but 77."

Both statements may be correct. Generals often exaggerate the losses of their adversaries, but the official reports must approximate the truth. Johnston's people were fighting not for victory, nor for independence; they were fighting for a "settlement," as is the Southern vernacular.

They were desperate men, and death had no terrors for them. On the other hand, Sherman's people had all the future before them—victory, glory, home, the applause of shouting multitudes, were all inducements not to get killed. The Confederate had a ruined life, a wasted home—perhaps a murdered wife and massacred babies—behind him.

It is not impossible that he may have willingly given up a life without hope or prospect, and that the other side may have been more frugal. But it is true, as Johnston remarks, that plunder, license, lack of discipline, will take the soul out of soldiers in a two days' march.

Curious it is, but a soldier must have some conscience, and soldiers without conscience are beasts—they will do what they are made to do, and nothing else.

Napoleon said: "Bayonets think." It would have been better to say: "Bayonets believe." For if bayonets do not believe, if they do not have faith in the justice of their side, they are worth little. Murder, rape, arson and robbery will demoralize an army, and take all the fight out of it, sooner than a dozen defeats.

The extraordinary *morale* of the Confederates was due to their sublime faith in their cause, their commander, and in themselves. On the retreat from Gettysburg it was necessary to feed the rear guard, from Fairfield to Hagerstown, to send details from each regiment to gather rations.

And on the march on July 5th, as the column marched along the road, men could occasionally be seen shooting

the cattle in the fields. The remark was constant in the ranks: "That's an outrage." That's no better than Yankees." "That's disgraceful to us." For the private soldier felt as high a sense of duty, of justice to himself, and his enemy, as Gen. Lee. Therefore, Johnston's observation was just. The robbers, thieves and murderers who marched into North Carolina in March, 1865, were not the same soldiers who had left Dalton the preceding spring. They had become brutalized, demoralized. They would not face death, the way the soldiers of Missionary Ridge, of Resaca, of Kenesaw, would have done. Johnston appreciated this, and on it were based his hopes for a "settlement."

On March 17 it was ascertained that the troops with which Hardee had been engaged the day before were not marching to Raleigh, but no definite information could be gained as to their destination. Hardee remained at Elevation to rest his people.

At Smithfield, Bragg had Hoke, and his North Carolinians, 4,775 effectives and Lieut.-Gen. Stewart's 3,950 of the Army of Tennessee.

On the 18th of March Johnston was informed that Sherman's right wing was marching on the direct road from Fayetteville to Goldsboro, and had crossed Black river, while his left wing on the road from Averysboro had not reached that stream, and was more than a day's march from the road on the map, opposite Bentonville. That hamlet was about two miles to the north of the road, and sixteen from Smithfield.

According to the old map of North Carolina they

were obliged to use, the roads were about twelve miles apart. According to the cavalry reports the Federal right wing was half a day's march ahead of the left, and, according to the map, the roads they were on were twelve miles apart.

Johnston clubbed his force and ordered the troops from Elevation and Smithfield to concentrate at Bentonville, so as to mash up Sherman's left column before his right could get up to him.

But the map deceived them. Instead of Elevation, Hardee's position, according to the map, being only 12 miles from Bentonville, it was too great to be made by Hardee in one day, and the distance between the roads was much less than the map represented it; so, while Hardee could not get up in time, the Federals could and did. Hardee got up to Bentonville next morning, and Johnston threw his troops across the path of the advancing Federal left wing. Hardee with 9,500, Bragg and Stewart with 5,600, total 14,100, in front of 35,000 men; nearly three to one.

As Hampton rode down the line which he was establishing, he heard one of the South Carolinans say to another, lying down on the sedge grass, "The old man is playing a pretty stiff bluff, but some of them times these Yankees will call him, and then look out!" Hampton rode on with a grim chuckle at the sort of hand he was bluffing with.

The Federals deployed as soon as they felt the obstruction in their way, and moved vigorously on the Confederate line. This advanced at once, and drove

the Federal line back over its first line of light entrenchments, thrown up in the woods, and Lieut.-Gen. Hardee, leading the infantry charge, leaped his horse over the second line and captured it. The woods were so thick that no orderly advance could be made, and the Confederates held the field until their wounded could be removed; after which, after nightfall, they fell back to the position from which they had moved in the morning. Four pieces of artillery were taken, but one piece was left on the ground for lack of horses to haul it off.

Early on the morning of March 20, the Federal right wing, which had left the Fayetteville road to Goldsboro, crossed to that to Averysboro, and rapidly attacked Hoke's division, which was in rear. Hampton immediately put Butler's and Wheeler's divisions of cavalry into position to help to hold Hoke's line, and together, the cavalry, and the North Carolinians stood the Federals off, for the rest of the day, against repeated attacks. All day of March 21 the Confederates held their position against repeated and resolute attacks. Lieut.-Gen. Hardee's son, a boy of 16, fell in the first set of "fours" of the Eighth Texas cavalry, with whom he was charging. During the night of March 22, the troops were withdrawn to Smithfield. Johnston's loss in the three days' fighting was 223 killed, 1,467 wounded, and 653 missing—total 2,343, out of a total of 14,000 engaged.

It is supposed that the Federal loss largely exceeded 4,000.

After Schofield joined Sherman at Goldsboro—after the battle of Bentonville—Johnston placed himself in

such a position as to observe the roads to Richmond via Weldon, or by Raleigh, Greensboro and Danville, and at the same time to be in position to join hands with Lee, in case he should determine to let go Richmond, and joining Johnston, fall on Sherman before Grant could get up.

As soon as Johnston was assigned by Lee to the command of North Carolina, and the duty of "driving back Sherman," he had been incessant in representing to his superior officer, that the only chance to save the Confederacy was for Lee to unite with him, and first defeat Sherman, and then Grant.

To the last moment Johnston was not without hopes that his strategy would be followed. But Lee knew better than he did. He couldn't let go Grant. Grant held him tight. The moment he marched out of the lines at Petersburg, Grant's strong cavalry horses would flank him. Grant's strong artillery horses would outmarch him, and he would be destroyed, just as he was destroyed a month afterward, in his vain attempt to reach Danville to join Johnston.

But Johnston certainly did not understand to what straits his comrade, friend, and commanding officer, was reduced. He argued the question as if it was a matter of volition.

On April 5, he received the press dispatch that the Administration had caused the evacuation of Richmond on the 2d.

Johnston supposed that they had adopted his ideas, and were moving to join him. He heard from Brig.-

Gen. W. H. Walker, at Danville, on April 7, and Col. Jno. Taylor Wood, the President's aid, on the 8th, at Greensboro, but there was no news of Lee's army, and nothing in these dispatches to suggest the idea that Lee had been driven from his lines.

On March 22, Schofield joined Sherman at Goldsboro with the Twenty-third Corps. The railroad to Newbern was in running order, and supplies were rapidly brought to him.

He had no apprehension then of being stopped by Lee and Johnston combined, for he had with his colors full 93,000 fighting men, and the whole Army of Northern Virginia, with the Army of North Carolina, could not have barred his way.

On March 25th, Sherman started by rail to Newbern, and thence by steamer to City Point, Virginia, for an interview with Grant, reaching Fortress Monroe on 27th. He reached City Point the same afternoon, and found President Lincoln there. That night and the next day was spent in going over the whole situation. Sherman was anxious that Lee should remain where he was until he, Sherman, could get to Burkeville, when Lee would have to starve, or come out of his entrenchments and fight Grant and him combined.

The two Generals expected another battle would be necessary to finish up the war, but the President deprecated more bloodshed. "His mind," says Sherman, "was all ready for the civil organization of officers at the South," and he authorized Sherman to assure Gov. Vance, and the people of North Carolina, that as soon

as the Rebel armies laid down their arms, and resumed their civil pursuits, they would at once be guaranteed all their rights, as citizens of a common country, and that, to avoid anarchy, the State government then in existence, with their civil functionaries, would be recognized by him as the government *defacto* until Congress could provide others.*

They parted at noon, March 28th. Sherman reached Newbern, March 30th, and Goldsborough the same evening.

By the 5th of April he was ready to move, and issued his confidential order to his army commanders, that the next move was to place the army north of the Roanoke, facing west, with its base of supplies at Norfolk, or on the Chowan, and in full communication with the Army of the Potomac at Petersburg. The march was to begin in earnest on March 12. But the news of the fall of Richmond reached him on April 11th, and Sherman appointed April 12th to move direct on Raleigh, prepared to follow Johnston wherever he might go.

On the 9th, Johnston still had no definite information as to the condition of affairs in Virginia. On the 10th Johnston moved back to Raleigh, with Sherman about twenty-five miles in his rear. At one o'clock next morning, in his camp at Battles Bridge, over the Neuse, he received a telegram from President Davis, dated Danville, the evening before, informing him that an unofficial report had just reached him that Lee had surrendered the day before—April 9th.

*Memoirs, Vol. II, p. 327.

The Confederates reached Raleigh during the afternoon of the 11th. During that same night, Sherman, at Smithfield, received a message from Grant, informing him of Lee's surrender.

He published it in a general order to his troops the next morning, and, of course, it invigorated and refreshed them more than anything else could have done. He reached Raleigh the next day, and again announced to his troops his plans—that his next move would be to Ashboro to cut off Johnston's retreat southward.

Thus matters stood, when on April 14, Kilpatrick reported from Durham Station, twenty-six miles up the North Carolina Railroad, that a flag of truce had come in with a package from Gen. Johnston, addressed to Sherman.

The Confederates continued their retreat toward Hillsboro and Greensboro, and on the evening of the 11th, Gen. Johnston received an order by telegraph from President Davis at Greensboro, directing him to report there in person without delay.

He reached that place on the morning of April 12, and went at once to Beauregard's quarters in a railroad car. In an hour or two the Generals were summoned to meet President Davis, with whom they found Messrs. Benjamin, Secretary of State; Mallory, Secretary of War, and Reagan, Postmaster-General.

Mr. Davis was eager to continue the war. He stated that in two or three weeks he would have a large army in the field, by bringing back those who had deserted, and gone home, and by calling out those liable to con

scription, whom the conscript officers had been unable to obtain. The Generals remarked that it was unlikely that those who had deserted, and who would not join, when circumstances were more favorable, could be expected to come forward now when circumstances were desperate.

And so the conference was adjourned until Gen. Breckenridge, the Secretary of War, should arrive, who was expected that evening, with certain news from Virginia.

Gens. Johnston and Beauregard, comparing views of the situation, concluded that the Confederacy was overthrown, and that the only thing left was to make terms. And when Breckenridge arrived, Johnston presented this conclusion to him, and said that the only power left President Davis was that of terminating the war, and that this power should be exercised without more delay.

Mr. Mallory, in conversation, agreed with Gen. Johnston. The next day, by Breckenridge's arrangement, Johnston and Beauregard were summoned to President Davis, where they presented a comparison of the military forces of the two sides. The Confederates had an army of 20,000 infantry and artillery, and 5,000 cavalry. The United States had Grant's army of 180,000, Sherman's of 110,000, and Canby's of 60,000—odds of 14 to one.

Johnston represented that under such circumstances it would be the greatest of human crimes to attempt to continue the war; for having neither money nor credit, nor arms but those in the hands of our soldiers, nor ammunition but that in their cartridge boxes, nor shops

for repairing arms or fixing ammunition, the effect of our keeping the field would be, not to harm the enemy, but to complete the devastation of our country and ruin of its people. He therefore urged that the President should exercise at once the only function of government still in his possession, and open negotiations for peace.*

Mr. Davis requested the members of the Cabinet present to express their opinions. Breckenridge, Mallory and Reagan agreed with Johnston. Benjamin was for war, and made a speech, says Johnston, much like that of Sempronius in Addison's play. Mr. Davis said it was idle for him to attempt to negotiate, for the other side had repeatedly refused to recognize him.

Johnston suggested that it had not been unusual for military commanders to initiate negotiations upon which treaties of peace were founded, and proposed that he be allowed to address Gen. Sherman on the subject.

The President agreed that Johnston should address a proposition to Sherman for an armistice to enable the civil authorities to agree upon terms of peace.

He dictated such a letter, which was reduced to writing by Mr. Mallory, signed by Johnston, and at once dispatched to Sherman.

It was in these words:

April 13, 1865.

"The results of the recent campaign in Virginia have changed the relative military condition of the beligerents. I am, therefore, induced to address you in this form, the inquiry whether to stop the further effusion of blood and devastation of property, you are willing to make a temporary suspension of active operations, and

* Johnston's Narrative, p. 398.

to communicate to Lieut.-Gen Grant, commanding the armies of the United States, the request that he will take like action in regard to other armies, the object being to permit the civil authorities to enter into the needful arrangements to terminate the existing war."

This is the letter of which Kilpatrick sent Sherman notice.

On the 14th Sherman received the letter and replied at once:

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI,
IN THE FIELD, RALEIGH, April 14, 1865.

Gen. Jos. E. Johnston,
Commanding Confederate Army:

General—I have this moment received your communication of this date. I am fully empowered to arrange with you any terms for the suspension of further hostilities between the armies commanded by you, and those commanded by myself, and will be willing to confer with you to that end.

I will limit the advance of my main column to-morrow to Morrisville, and the cavalry to the University, and expect that you will also maintain the present position of your forces, until each has notice of a failure to agree.

That a basis of action may be had, I undertake to abide by the same terms and conditions, as were made by Gens. Grant and Lee at Appomattox court-house, on the 9th instant, relative to our two armies, and, further, to obtain from Gen. Grant an order to suspend the movements of any troops, from the direction of Virginia. Gen. Stoneman is under my commmand, and my order will suspend any devastation or destruction contemplated by him. I will add that I really desire to save the people of North Carolina the damage they would sustain by the march of this army through the central or western parts of the State.

I am, with respect, your obedient servant,

W. T. SHERMAN. *Major-General*

It was arranged that the two Generals should meet on the 17th at a point midway between Sherman's advance at Durhams and Johnson's rear at Hillsborough. Just as Sherman was about to start for this meeting, the telegraph operator, whose office was up-stairs in the depot building, came running into Gen. Sherman's car and told him he was just receiving an important dispatch in cypher which it was necessary for the General to see before he left. This was at 8 o'clock on the morning of the 17th. Sherman held the train for half an hour, when the operator returned with the message translated and transcribed.

It was from Stanton informing him of the assassination of Lincoln, April 14, the attempt on the life of Mr. Seward and son, and a suspicion that a like fate was designed for Gen. Grant, and all the principal officers of the government.

After charging the man to keep this news absolutely to himself until the General's return, he proceeded to Durham's, and riding out on the road probably five miles, met Johnston, where they had a private conference, at the house of a gentleman named Bennet.

The first thing Sherman did was to show Johnston the dispatch announcing Lincoln's assassination. It distressed him inexpressibly. Large drops of perspiration, Sherman says, burst out on his forehead, and he denounced the act as a disgrace to the age, and hoped that Sherman did not charge it to the Confederate Government.

Sherman assured him "that he did not believe that he

or Gen. Lee or the officers of the Confederate Army could possibly be privy to acts of assassination," but he "would not say as much for Jeff Davis, George Sanders, and men of that stripe." Sherman urged Johnston to surrender on Grant's terms to Lee.

Johnston insisted that they ought to make arrangements for all the Confederate armies. That he could procure authority to control all of them, and that in addition to providing for the laying down their arms, they must be secured in their personal property and political rights. Sherman then told Johnston of his recent interview with President Lincoln and General Grant, and assured him that he was perfectly and fully informed as to the views of the President of the United States, and that he had authority to arrange with Johnston on the terms stated and requested by him. It was agreed that Johnston should return to his lines, and get authority to arrange for all the Confederate armies, and that they would meet again the next day at the same place.

After some discussion, Johnston brought Breckenridge into the conference, and a messenger, having brought a package to Johnston, he opened it, and, after a side talk with Breckenridge, handed one of the papers from it to Sherman. It was, says Sherman, the draft in Reagan's handwriting of the terms, and began with a preamble so long and verbose, that Sherman at once rejected it.

"Then," says he, "recalling the conversation with Mr. Lincoln at City Point, I sat down at the table and

wrote off the terms, which I thought concisely expressed his views and wishes, and explained that I was willing to submit these terms to the new President, Mr. Johnson, provided that both armies should remain *in statu quo* until the truce therein declared should expire. I had full faith that General Johnston would religiously respect the truce, which he did. And that *I should be the gainer, for in the few days it would take to send the papers to Washington and receive an answer, I could finish the railroad to Raleigh, and be the better prepared for a long chase.*"*

This is General Sherman's idea of preserving the *status quo*, and religiously respecting the truce.

"Neither Mr. Breckenridge nor General Johnston wrote one word of that paper. I wrote it myself and announced it as the best I could do, and they readily assented."†

This paper is known as the "Convention at Durham's."

*Memoirs, Vol. II, p. 353.
†Memoirs, Vol. II, p. 353.

CHAPTER XIV.

THE CONVENTION AT DURHAM'S.

THE paper signed is in these words : Memorandum or basis of agreement made this 18th day of April, 1865, near Durham's Station, in the State of North Carolina, by and between Gen. Joseph E. Johnston, commanding the Confederate Army, and Major-Gen. W. T. Sherman, commanding the Army of the United States, in North Carolina, both present:

1. The contending armies now in the field to maintain the *statu quo* until notice is given by the commanding General of any one, to its opponent, and reasonable time, say forty-eight hours, allowed.

2. The Confederate armies now in existence to be disbanded, and conducted to their several State capitals, there to deposit their arms and public property in the State arsenal; and each officer and man to execute and file an agreement, to cease from acts of war, and to abide the action of the State and Federal authority. The number of arms and munitions of war to be reported to the chief of ordnance at Washington city, subject to the future action of the Congress of the United States, and in the meantime to be used solely to maintain peace and order within the borders of the States respectively.

3. The recognition by the Executive of the United States, of the several State governments, on their officers and Legislatures taking the oath prescribed by the Constitution of the United States, and where conflicting State governments have resulted from the war, the

legitimacy of all shall be submitted to the Supreme Court of the United States.

4. The re-establishment of all the Federal courts in the several States, with powers, as defined by the Constitution of the United States, and of the States respectively.

5. The people and inhabitants of all the States to be guaranteed, so far as the Executive can, their political rights and franchises, as well as their rights of person *and property, as defined* by the Constitution of the United States, and *of the States rsepectively.*

6. The Executive authority of the government of the United States not to disturb any of the people by reason of the late war, so long as they live in peace and quiet, abstain from acts of armed hostility, and obey the laws in existence at the place of their residence.

7. In general terms—the war to cease—a general amnesty, so far as the Executive of the United States can command, on condition of the disbandment of the Confederate armies, the distribution of the arms, and the resumption of peaceful pursuits, by the officers and men hitherto composing said armies.

Not being fully empowered by our respective principals to fulfill these terms, we, *individually and officially, pledge ourselves* to promptly obtain the necessary authority, and to carry out the above programme.

W. T. SHERMAN,
Major-General, Commanding Army of the United States, in North Carolina.

J. E. JOHNSTON,
General, Commanding Confederate States Army in North Carolina.

Sherman says he wrote every word of this paper. Johnston says Sherman wrote it very rapidly, with Johnston's memorandum lying on the table before him, as if he had come prepared to make that arrangement.

In the discussion, Johnston's point had been a general disarmament of the Confederate armies, and, in consideration of that, a general amnesty by the President of the United States.

The proposition to guarantee to the Confederates all their rights of *private property as defined by the State constitutions*, came from Sherman, as far as can be understood from Johnston's Narrative and Sherman's Memoirs. What he meant by it is impossible to say, for it was a distinct promise to protect property in slaves, which had already been destroyed by the proclamation of Mr. Lincoln, as far as any executive act could destroy it.

In fact it is difficult to understand Gen. Sherman's position about this convention, "every word of which he wrote himself." Johnston nor Breckenridge did not write a word of it.

Johnston, who was only a plain Virginia gentleman, and a soldier trained in the traditions of the old army of the United States, evidently took the agreement to be serious, and that he was bound by it.

When he pledged himself, in the first article, that the armies should maintain the *status quo* during the truce, he really believed that his honor was pledged to do so, and he religiously did as he had promised.

Sherman, however, did not take it so seriously, but strained every effort to complete the railroad from

Goldsboro to Raleigh, so that if he was obliged to follow Johnston toward the West or Southwest, his communications with his base at Newbern being thus perfected, would give him an enormous advantage. His idea of the *status quo* seems to have been to employ the truce in bettering his condition as much as possible.

Johnston believed that when he pledged himself *officially and personally* to obtain the necessary authority to make the agreement, and to carry out the programme, that his honor as a soldier and a gentleman was involved and he, without an hour's delay, applied to President Davis for ratification of this action and approval of the convention.

Such a pledge sat more lightly on Gen. Sherman's mind, for, he said, "he wrote to Gen. Grant and the Secretary of War, submitting the agreement for their action, and the letters fully explained that the military situation was such that the delay was an advantage to us. I cared little whether they were approved, modified or disapproved *in toto*. I only wanted instructions."

This was like his observing the truce, by repairing his railroad. He pledged himself as a man, and as a soldier, to obtain the approval of his superiors, and then writes them that the delay was helping him, and their approval was a matter of no consequence.

The convention was signed April 18, 1865. Sherman sent a staff officer off at once by Newbern and Morehead to Washington, and who returned to Raleigh on 24th, bringing Gen. Grant, accompanied by one or two officers of his staff.

It cannot be understood from the memoirs of Sherman or Grant how far this Durham's station convention was meant to be serious, or only a trap to catch Johnston.

It was certainly a wise, statesmanlike and patriotic measure, and if "the programme" had been carried out, would have saved the country twenty years of disorder, turmoil and disturbed society. The troops marched to their respective homes by their own commands, the State government of the people recognized, the Union would have been restored, their relations to the Federal government would have been re-established, their own leaders would have represented them in the Congress, and peace and order would have been established at once. Instead of that, the Revolutionary Reconstruction Legislation of Congress actually reversed society, and put on top those classes who everywhere are at the bottom of the social structure, and in the operation of nature, by which the proper organization of society was restored, much suffering was caused, and bitter feelings created. The experience has been beneficial to the Confederates. The trials and ordeal through which they have passed, have been beneficial to them, but probably the whole country would have been better off if the convention at Durham had been ratified, and "the programme" carried out. But in the government at Washington there had always been a jealousy of the military power, and a vague uneasiness about a dictatorship.

Mr. Seward was a philosophic student of history, Mr. Sumner was a scholar, Secretary Chase was a man of

great intellectual force and acquirements, and Mr. Stanton was the Danton of that revolution.

It may be, that, perfectly conscious that they had overturned Constitutional government, and were conducting a great revolution, in defiance of all the safeguards of public liberty and private right, they felt that the time might easily come when they would be overturned by the "man on horseback." Thus Cromwell, backed by the army, had dissolved Parliament. Thus Napoleon, with the guards, had dispersed the Assembly in France. For several years, it is apparent there was a cloud hanging over the politicians at Washington—a cloud of apprehension of the dictator. This was at the bottom of the jealousy of McClellan, of the early snubbing of Grant in the West, and the squelching of Sherman, by Stanton, about the Durham convention.

During the summer of 1861, and the winter of 1861–62, there was much discussion among the Confederate officers at Fairfax Courthouse and Centerville. Among them were several who had known McClellan intimately, from his West Point days, who had served with him in Mexico and in garrison since, who knew the fibre of his mind—the tendency of his thoughts, his feelings, his sympathies and his ambitions. They knew McClellan to be extremely ambitious, and with an appreciation of his own capacity by no means moderate.

An idea got about, I can give no authority, can refer to no record, but an idea floated around the army, division and brigade headquarters of Johnston's army of

the Potomac, that McClellan was organizing that grand army until he had it sufficiently in hand; when he would propose a truce to Johnston, in order that they, two, at the head of these armies, might make peace and restore the Union and compel their respective governments to ratify and accept their settlement.

No one believed that Johnston would not resent such an idea, but officers who knew McClellan well and who had been more intimate with him than any of those who were with the Federal side, believed such a thing not impossible with him.

I do not wish to do him an injustice, for he was an honorable, chivalric, high-minded solder, but I show what views some of his antagonists held about him.

I believe the same opinions were entertained in Mr. Lincoln's cabinet, and they were particularly careful that the army should be kept in strict subordination to the civil authority.

The tramp of the coming horseman was always sounding in their ears. So when Grant telegraphed Mr. Lincoln, March 3d, for permission to meet Lee, and treat for peace, Lincoln promptly answered him that treating for peace was none of his business, that he was not to interfere with any political question, but to confine himself entirely to military matters.

When, therefore, Sherman undertook to negotiate a treaty of peace, which fixed the legal status of States and of people, here was the dictator sure enough, they thought.

Lincoln had been assassinated. Andrew Johnson, the

new president, crazed by terror; and here was the victor of a hundred fields, having a veteran army of 100,000 men, ready to march to Washington, and impose his terms on President Johnson, as he had done on General Johnston.

The panic was puerile, but it was real, and Sherman's act was repudiated in a manner, the most mortifying to him, and humiliating to the army.

The manner of doing this was intended to break the force of Sherman's position before the American people. In a bulletin given to the press, signed by Stanton, Secretary of War, it was intimated that Sherman had made a bargain with President Davis, in consideration of the President of the Confederacy dividing, with the General of the Federal Army, the gold which he was carrying off, that the Confederate should be allowed to escape.

And the same people published a proclamation to the world, charging Jefferson Davis with being accessory to the murder of Abraham Lincoln. A charge which no one believed at the time, never has been believed since, and which stands to-day unretracted in the archives of the United States.

Orders were issued to the armies in the South not to obey Sherman.*

They sent Grant back from Washington to take charge of Sherman's army, and if necessary, to take command of it.†

Sherman notified Johnston of the rejection of the

*Grant's Memoirs, Vol. II, p. 516.
†Grant's Memoirs, Vol. II, p. 516.

convention, and under Grant's dictation, demanded Johnston's surrender upon the terms granted by Grant to Lee at Appomattox court-house.

Now occurs another incident which shocks us, and will shock posterity more than any breach of faith connected with this negotiation.

By the convention at Durham's, April 18 (Section 7), it was agreed that there should be "universal amnesty, so far as the Executive of the United States can command."

The Executive of the United States had complete control of an amnesty, for no one could be punished, whom he chose to pardon.

This agreement was signed by General Sherman on the 18th. He was notified of its rejection by his government on the 24th, and on the 25th wrote General Grant:

"As to punishment for past crimes, that is for the judiciary, and can in no ways be disturbed by our acts; *and so far as I can, I will use my influence* that Rebels shall suffer all the personal punishment prescribed by law, as also the civil liabilities arising from their past acts."*

The next day he made this new agreement with Johnston, who knew nothing as to how Sherman had been preserving the *status quo*, under the truce, by repairing the railroads, and of course could know nothing of the letter to Grant of the preceding day, promising to use his influence to have Johnston, Ex-Quartermaster-General of the Army of the United States, hung.

*Memoirs, Vol. II, p. 361.

The new agreement was:

Terms of a Military Convention, entered into this 26th day of April, 1865, at Bennett's House, near Durham's Station, North Carolina, between General Joseph E. Johnston, commanding the Confederate Army, and Major-General W. T. Sherman, commanding the United States Army in North Carolina.

1. All acts of war, on the part of the troops under General Johnston's command, to cease from this date.

2. All arms and public property to be deposited at Greensboro, and delivered to an ordnance officer of the United States Army.

3. Rolls of all the officers and men to be made in duplicate, one copy to be retained by the commander of the troops, and the other to be given to an officer, to be designated by Gen. Sherman. Each officer and man to give his individual obligation in writing not to take up arms against the Government of the United States, until properly released from this obligation.

4. The side arms of officers, and their private horses and baggage, to be retained by them.

5. This being done, all the officers and men will be permitted to return to their homes, *not to be disturbed by the United States authorities*, so long as they observe their obligation and the laws in force where they may reside.

W. T. SHERMAN,
Major-General, Commanding United States Forces in North Carolina.

J. E. JOHNSTON,
General, Commanding Confederate States Forces in North Carolina.

Approved:
U. S. GRANT,
Lieutenant-General.

Stanton's bulletin, insinuating that Sherman was letting Davis off for a share of his plunder, was intended to insult and degrade Sherman. It was an outrage on a soldier, and an infamy on a gentleman.

But it was not as severe as the record Sherman makes for himself. One day he wrote to his superior officer pledging himself to use his influence that rebels shall suffer all the personal punishment prescribed by law, as also the civil liabilities, arising from their past acts.

The personal punishment prescribed by law was hanging; the civil liabilities were confiscation of all the property of the rebels. When Gen. Sherman the next day made the agreement with Gen. Johnston, he said: "If you will stop fighting and disarm your people I will guarantee that you may go home and live undisturbed." And to Grant he said: "As soon as I get these people disarmed, I'll have as many of them hung as possible, and will confiscate their property." It was another application of the law of prize, as sought to be applied to the Savannah cotton.

Stanton's insinuation against Sherman's integrity was dreadful, but it is not one hundredth part as infamous as Sherman's proof against himself. It is a sad thing for his reputation that his memoirs should ever have seen the light.

His confession that he made a false charge against Hampton, in order to injure his reputation—his admission that he employed his time during the truce, which pledged him to preserve the *status quo*, in destroying the *status quo* by the reconstruction of vital railroads—

his statement that he induced Johnston to give up his arms, under a promise of protection, while his real intention was to prosecute him to the extent of the law—all will stand against Sherman's reputation as an honorable man to the last syllable of recorded time. He has deliberately made his own record, and he is to be held responsible at the bar of history for it.

I am not aware, nor have I ever heard, that Sherman anywhere, at any time, sought to redeem the pledge he made at Durham's station. Not so the great soldier, his superior. There was not a moment, from the surrender at Appomattox court-house until his death, that the heart of Grant was not full of generosity to his late foes.

If Lincoln had lived, the people would have been saved great suffering; but Lincoln dead, Grant stood "like a stonewall" between the soldiers, who had his parole, and the blood-hounds baying on their track.

There was a mature, deliberate, carefully concocted plan to indict, try, convict and punish Lee.

The President of the United States instructed the Judge of the District Court for the Eastern District of Virginia to secure the indictment of President Davis and Gen. Lee for treason.*

In May, 1866, accordingly, an indictment was found against the commander of the Army of Northern Virginia, and a motion made for a bench warrant for his arrest. Lee inclosed a copy of the newspaper notice of these transactions to Grant, then the General in command of the armies of the United States.

*Chase's Decisions, p. 1.

Without a moment's hesitation or an instant's doubt, Grant addressed a letter to the President of the United States, insisting, in fiery terms, that it was a question of *his honor*, *of his faith*, that all proceedings against Lee should be promptly suppressed, and, upon some discussion raised, intimated that his resignation was the alternative to a refusal of his demand. So peremptory a demand admitted of no paltering, and the proceeding against Lee was suspended.

Shortly afterward, another officer, included in the terms of the Durham convention, which Grant had signed, was arrested in Baltimore on an indictment for overt acts of treason committed at the battle of Gettysburg. Gen. Johnston, with the officer who had been arrested, waited on Grant at army headquarters at Washington, and claimed the protection of the parole. Grant at once wrote to the President of the United States, insisting, in the clearest and most emphatic terms, that all Confederate soldiers embraced in the terms of the convention, were entitled to be protected from molestation to person or property in any manner, and that the public faith of the United States was pledged to this course of action. *

* See Appendix A.

CHAPTER XV.

THE RECORD OF SHERMAN'S DRAGONNADE.

THE introduction of the account of the barbarous proceedings during the campaign from Atlanta to Goldsboro is necessary, because to form a proper estimate of the character and career of Johnston, he must be seen by the light of contemporaneous sentiments and feelings, and of surrounding circumstances. His stature can best be measured by that of his comrades, or his adversaries.

In the midst of the most cruel and barbarous war that has been waged in Christendom among Christians for three centuries, he never lost his poise. He was always the knightly soldier, the Christian warrior, and no man or woman or child ever lived who could say that Johnston cost them one tear. His soul was as clear, his hands as unstained as any knightly pilgrim of tradition, or of fable. Like Lee, he never for an instant yielded to the clamor of revenge, of hate, and of folly, that filled the air with demands for "retaliation, no quarter, and the black flag." Like Davis, his soul abhorred all cowardly and cruel measures. When a distinct retaliation, for a distinct crime, could have the effect of preventing a repetition of it, or when a threat of retaliation was necessary to save the commissioned officers of the army or navy of the Confederacy from an ignominious death, Gen. Johnston approved of applying the remedy promptly and vigor-

ously. But there is not an incident in his whole career as soldier for which his countrymen, Federal or Confederate, need now to blush.

Posterity is a relentless judge. History is an unerring arbiter, and the truth, the facts, have been recorded here, so that all the actors concerned in these events may have meted out to them the justice of the final judgment of men; with the other we dare not meddle.

But it is right and expedient that men should be held responsible in this world for conduct, so that their example, and their fate may deter future generations from imitating them.

It is believed that no American general, suppressing future resistance to Government by armed force, will ever instigate or countenance or permit such barbarities as were perpetrated during this dragonnade of these States. Washington did not do it in putting down the whiskey insurrection in Pennsylvania, nor did Lincoln in dispersing Shay's rebellion in Massachusetts.

Says McMaster: "Lincoln's march from Boston to Springfield was conducted with the greatest regard for the feelings and property of the inhabitants."*

Washington's march, from Carlisle to Bedford, and thence to Parkinson's Ferry, was conducted with discipline and humanity. Their troops were old soldiers of the Revolution, or soldiers' sons. They never dreamed of such a sentiment, that an invaded people should be left "only eyes to weep."

It is hoped that no future American soldier will feel, or utter such a one.

* McMaster's "People of the United States," Vol. I, p. 319.

SURRENDER OF GENERAL JOHNSON.

CHAPTER XVI.

AFTER THE SURRENDER.

FROM the conference at Durham, Gen. Johnston rode back to Greensboro, and proceeded to execute his agreement. Duplicate muster-rolls were prepared, signed by commanding officers, detailed by Gen. Sherman for the purpose, and paroles were executed by each soldier—private and officer.

A considerable amount of specie was on the train which brought President Davis to Greensboro, and was carried on south with him. The amount was greatly exaggerated, and the ownership of it utterly misunderstood.

There was in the Confederate treasury, belonging to the Confederate government, $327,022.90.

The General Assembly of Virginia, in its session of January, 1865, had passed a law levying a tax in coin on the banks of the State, which was in substance a forced loan.

This coin thus collected was lodged in some Richmond banks as a special deposit by the commonwealth of Virginia. It amounted to $230,000.

On Sunday, April 2, when Richmond was being evacuated, Governor Letcher sent an officer down, and withdrew this special deposit of the State, and sent it off with the cash of the Confederacy.

Some bank officers, from whom the coin had originally

been taken by the State, went with it, somewhat on the idea of flotsam, where in a shipwreck, every one is entitled to all he saves.

This $230,000 was captured at Washington, Georgia, and was covered into the treasury of the United States, where it now is. Of the Confederate coin, $39,000 was left with Gen. Johnston, at Greensboro, as his military chest, and was divided by him to his troops, each receiving $1.15, without regard to rank—the only pay most of them had received for a year. The rest was paid out to troops at Washington, Georgia, by order of Mr. Davis, and Gen. Breckenridge, Secretary of War; by M. H. Clark, Esq., acting Treasurer of the Confederate States.*

Gen. Johnston, therefore, was in error when he stated, long afterward, that President Davis had a large amount, or any amount, of Confederate gold with him—just as Stanton was mistaken when he believed that his General, second in rank in his army, was capable of being bribed, and had in fact been bribed, by Mr. Davis, to let him escape.

If anything is certain in this world it is that Davis's soul was too great, and his nature too lofty to be capable of such an idea. He would have died in his tracks before he would have offered a bribe to his enemy to induce him betray his duty.

This may be a strained sense of chivalry, but President Davis possessed it, held to it, lived on, and died by it.

* Memoirs of Davis, Vol. II, p. 868.

No power could make him condone, ignore, or do a foul thing.

The cruelest blow that ever was struck at him, was the dastardly charge of Andrew Johnson and Stanton, of complicity with the assassination of Lincoln. As he said with keen bitterness: "There is one man in the United States who *knows* the falsity of that charge absolutely, and that is the man who made it, for *he* knows that I greatly prefer Lincoln for President to *him*."

CHAPTER XVII.

THE YEARS OF RE-CONSTRUCTION.

AFTER Johnston had discharged his duty to his soldiers, by securing to each one the written promise of Gen. Sherman for protection, he started them homeward under the command of their own Division and Brigade Generals.

Sherman was moving North for his grand review at Washington, having left Schofield with his corps to command the Department of North Carolina.

Schofield set the sxample, and every man under him behaved with the most chivalric courtesy to the heart-broken people they had conquered. He supplied rations and transportation for the march of the paroled Confederates returning home. Where railroads were in operation, Federal Quartermasters gave them orders to be carried over the railroads to their homes on the nearest point by rail to them.

Thus Texans, Arkansians, and Missourians were sent thousands of miles at the expense of the Federal Government, and it may be recorded that during the whole year 1865, from the 1st of May, when the paroles were signed, peace and order, good-will and kind offices, reigned in all the conquered States. As long as the soldiers controlled things, everything went on well. It was only when the politicians began to divide the plunder of the conquest, and allot the prize money, that the suffering was ten-fold aggravated.

The surrender at Durham's had left Gen. Johnston without one cent in the world. The scant savings of a life in the old army had been left in the North and were all gone. Mrs. Johnston had a small property from her father's estate, which was in the hands of her family, in California, or in Maryland, and that alone was saved from the wreck. Gen. Johnston made a point, all his life, to preserve his wife's property, for her alone—under her entire control, free from any interference by him at all. All he had to do with it was to see that it was safe.

The Southern people had nothing to offer him but their love. They gave that unstinted. He was made president of a railroad in Arkansas. But that did not materalize; and he was chosen as president of the National Express Company, an enterprise organized under the laws of Virginia, to engage in the business of quick transportation of parcels. This was unsatisfactory, and, in a short time, he gave that up and became the agent of the London, Liverpool & Globe Insurance Co., and the New York Life Insurance Co., for the Gulf States, with headquarters at Savannah. He made his residence there, and pushed the business in which he was engaged with great energy and intelligence. His reputation aided in making the enterprise a success, and he lived for several years in that city which was devoted to him and his wife.

But Mrs. Johnston's health, which had been failing for years, made a more northern climate necessary, and besides, he wanted to get back to his Mother Virginia, and, in 1876, he removed to Richmond.

Virginia was just then recovering from the throes of the struggle for the possession of her government. and the preservation of her civilization.

The Richmond District had been represented satisfactorily in Congress for several terms by Gilbert C. Walker, a Northern man, who had been elected by the white people of Virginia their first governor under the re-constructed government.

After governor Walker's term expired, he was rewarded for the admirable manner in which he had performed his executive duties by being chosen to represent the Metropolitan District of Virginia in Congress.

In 1877, there were several aspirants for his place, but the old soldiers concluded that they had the right to represent that district, and that Gen. Johnston was the proper man to represent them.

Col. Archer Anderson, his former chief-of-staff, was selected to sound the General as to whether such a candidacy would be agreeable to him. The movement was without his knowledge, and was absolutely voluntary, and in no way, direct or indirect, had he anything to do with it. Col. Anderson reported as his opinion that the General would be much gratified at such a proof of the love and respect of Virginians, as a tender of the nomination would be.

The next step was to get the ambitious aspirants out of the way, so as to prevent all competition, and a card was drawn up requesting General Johnston to allow his name to be used as the Democratic candidate for

Congress from the Fourth Virginia District. This card was presented to the aspirants first, for approval and signature. They had not the slightest idea that the General would accept the position, and they hastened to sign, eager to have the benefit with Johnston's friends of a cordial and prompt support of him.

To their disgust, he promptly accepted, and was put in the canvass as the Democratic nominee.

But probably no man in America was more utterly unfitted to be a candidate for popular favor, at an election by universal suffrage, than "Old Joe," as he was affectionately known.

By nature a reserved man, except to the few whom he loved, fifty years of life as a soldier in command, had utterly unfitted him for the flexibilities of a canvass among the people.

He had definite and precise ideas on the theory of government and the history and construction of the Constitution of the United States. Few politicians were as well or as accurately informed as he, or had thought out as thoroughly the answers to the social and political problems then confronting, or about to confront, the people of Virginia.

He had ample capacity to explain his views to a small audience, but the bustle and noise and puerility of the hustings disgusted him. He tried to accommodate himself to them, but gave it up.

Major Robert Stiles and Captain Louis F. Bossieux, of Richmond, were placed in charge of the canvass, and never had candidate two more intelligent, zealous, energetic, never-tiring friends, that they were.

The influenza of Greenbackism had attacked the district, and the opposing candidate was traversing the counties, advocating a "shower of greenbacks," which ought to be secured to the farmers and laboring people.

And the people from the very battle-field where Johnston shed his blood in their defence in May, 1862, were preparing to vote against him for Congress, the hope of cheap money being stronger than the memory of dear blood.

A friend of Gen. Johnston's was telegraphed to the White Sulphur to come back at once, and he returned on the next train.

At the committee rooms he was informed that Johnston would be beaten unless they could raise some money, and that their resources were exhausted.

They had expended about a thousand dollars in the canvass, and they believed success reasonably sure, if they could raise another thousand. Gen. Johnston knew absolutely nothing about the financial part of the canvass; had paid, probably, the rent of the committee room and the pay of a clerk, but beyond that he had no idea that money was necessary, and they were afraid to broach the subject, for fear lest he would throw up the candidacy, on the idea that if a seat in Congress was to be paid for, he would not have it. The matter was put in the hands of a friend, who wrote to another friend of Gen. Johnston, in Maryland, explaining the situation and asking for help. In a couple of days came the answer, that nothing could be expected in that quarter. Thereupon, the gentleman called on Mrs. Johnston, and

sent her word by the servant, that there "was an old soldier down thar' who hadn't had nothing to eat fur three days. Could she give him a squar' meal's vittles?" Mrs. Johnston, recognizing the message and the voice, came down at once, and, in a short time, dinner was announced.

The General was off on his canvass, and Mrs. Johnston at once began to upbraid her friend, who she had known, all through the war and since, as one of her husband's dearest friends, with the undignified position he had put "Johnston," as she called him, in.

"It's all your fault," she cried, with bright vivacity—she was one of the most charming of women—"It's all your fault. You got him into this thing, and it's shameful, a man of his age and reputation, going round to your cross roads, like a common member of Congress. I do hope he'll be beat. That'll serve you all right."

"Well, Mrs. Johnston," said her visitor, "you will certainly be gratified, for the General is beat now!"

"What's that you say?" said she, "if he's beat it will be simply disgraceful, and shameful! It will kill him. He shan't be beat; you must not allow it. I will not permit it!"

"Well," said the other, "he certainly will be beat, unless we can raise a thousand dollars, and everybody is afraid to mention it to the old General; and, as you are the only person we know who ain't afraid of him, I've come to explain the situation to you!"

"Oh, that's it, is it?" said she, "I'll see you get the money in the morning."

Bright and early next morning, she drove down in her carriage to the committee room, called Styles out, and gave him two $1,000 railroad bonds, worth $800 each, and told him to call on her for whatever was necessary.

Her example so inspired the General's friends that they raised the necessary funds, and triumphantly elected him; and, after the election, Major Styles returned Mrs. Johnston's bonds to her, and it is not believed that the General ever knew of the incident at all.

In Congress he was placed on the Military Committee, and there his word was law, on all questions relating to the equipment of, and expenditure for, the army.

At the expiration of his term he was not a candidate for re-election, for he would have encountered opposition for the nomination, and his friends did not think it just, to him, that he should be required to enter into a struggle for that which, it ought to have been, the highest honor the people of his district could confer on themselves.

He had a house in Washington, though he maintained his residence in Richmond, and he died a registered voter in the district he had defended in war and honored in peace.

He was appointed, by President Cleveland, one of the Commissioners of Railroads of the United States, the duties of which place he performed with the energy, zeal and intelligence always exercised by him in the execution of duty.

CHAPTER XVIII.

DAVIS AND JOHNSTON.

THE two men in the Confederacy, whose perfect accord and implicit confidence in each other were most necessary to the success of the new government, were the two men who, from the first, were perfectly and entirely estranged and separated.

This was a misfortune to their country, and to their own reputations, the consequences of which were far reaching and disastrous.

They were remarkably alike in mind and in character, in temperament and in sentiment. Each was the son of a Revolutionary soldier; each had imbibed, at his mother's knee, and from his father's daily life, traditions of patriotic self-sacrifice, and fearless devotion to duty. Each had the highest ideal of liberty, and of country. Each the most sentimental and tender devotion to family and to friends. Each was a consistent Christian, believing absolutely and implicitly in the goodness of God, and in his superintending love for all his children. Each loved his family, and his friends, with an intensity that brooked no doubt and tolerated not criticism.

President Davis had been educated as a soldier. He had had a long experience on the frontier; that training school for fortitude, endurance, courage and fidelity.

After leaving the army his mind had been matured by long and patient study of political problems and

military history, improved by daily discussion with his companion, his elder brother, one of the ablest men of his day, as he was one of the best-informed. After an experience in political discussion as Member of Congress, he had given up his seat to take command of the First Mississippi Regiment, a body of volunteers of the young gentlemen of his State.

With it he performed such distinguished service as fell to the good fortune of no other Colonel during the Mexican War, and he came back thoroughly impressed with the capacity of the American volunteer to make the best soldier.

Afterwards, his service as Secretary of War, and chairman of the Military Committee of the Senate, had given him large experience in the administration of the army, and a wide view of the strategy of a war in America.

He became Secretary of War in March, 1853, continued in charge of that Department until 1857, then returned to the Senate, where he was Chairman of the Committee on Military Affairs, until he resigned his place, in 1861, to take command of the Army of Mississippi. During that ten years his mind had been turning over the contingency of a war between the States.

He certainly deprecated a separation, and only acquiesced in it, as a choice of evils. But he was convinced always, that a great war would be the consequence of the action of the Southern States.

When, therefore, the contingency actually happened,

Mr. Davis, a soldier by training, by taste, and by temperament, was thoroughly prepared, by long study and investigation, for the proper steps to be taken. In his own mind he had matured the policy of a war of defence, and the strategy by which it was to be conducted to a successful issue.

He considered himself more competent for military command than for civil administration, and his election as President of the Confederate States was a disappointment to him. He hoped, and preferred, to have been made Commander-in-chief of the army in the field. He was thoroughly imbued with the traditions and feelings of the old army, which he believed were based on the soundest reason.

A fundamental principle in military organization is that staff officers cannot command troops, unless specially assigned to that duty. And in addition to that the Quartermaster-General of the Army of the United States was prohibited by law from commanding troops.*

Gen. Johnston, with the same preliminary education and training as President Davis, had been serving for thirty years in the regular service of a regular army. That service had been in every field, and his experience was wide and great, but it was the experience of a soldier. Now no man with a special training, and extended service, in one line of conduct, can regard another who has only occasionally and temporarily devoted himself to similar pursuits, as equal in equipment to himself. Every regular looks at least with

*Memoirs of Jefferson Davis, Vol. II, p. 150.

amusement on the amateur, whether it be in theatricals or on a military parade.

When, therefore, President Davis first met Gen. Johnston in discussion about the conduct of the war at Montgomery, Alabama, early in 1861, Johnston, I doubt not, received his mature suggestion without cordiality, and heard his opinion as to the strategy of the war with expressed dissent.

Mr. Davis had been studying the problem for years. He was a widely-read, vigorous thinker, and he was, as a matter of fact, quite as well equipped on matters of the theory of the war as any man living. But right here he and Johnston collided. Johnston disagreed with him absolutely and without qualification. Mr. Davis knew, for he had read history, that a slave population was utterly unreliable in war. He believed, as turned out the fact, that the Southern slaves would be obedient, faithful, and tractable; but he also knew that the superior force of the Master once removed from them, they would become worthless as a producing machine. The experience of the War of the Revolution proved this, as shown in Johnson's Life of Greene; and Mr. Davis was convinced that the protection of Southern territory from contact with the enemy was the only way to preserve social institutions, as well as the industrial organization of the South.

His large mind had matured the plan of defence, and had worked out many details for the protection of the Southern territory.

He proposed to hold the seaboard with garrisons

at its ports, and to protect a line from the Chesapeake along the Potomac, through the mountains of Western Virginia, and make the Ohio and the Missouri the frontiers, to be covered by armies placed within supporting distance.

Johnston repudiated the whole plan. He pointed out that by trying to protect a frontier three thousand miles long, your adversary was permitted to select the point for attack, to concentrate on it, and to break it when he pleased.

The proper policy, he said, was to have no fortified positions and no lines of defence—to concentrate armies at points best adapted for subsistence, and prompt communication, and when the enemy advanced into your country, having the interior lines, to concentrate on him an overwhelming force, and crush him. Then, said he, you will recover all you have lost. "But," replied the President, "wherever a Federal army marches through the South, it will leave destruction and disorganization in its wake. You may drive it back, but you cannot restore the destruction it has caused—not the destruction of property, but the destruction of social order. The Negroes, who do not go off, will remain utterly useless."

This discussion, between the statesman and the soldier, could have no end, because there was no maxim common to both, no axiom on which they agreed. And the difference was ineradicable.

When, therefore, President Davis came to arrange the rank of the superior officers, provided for the act of the Confederate Congress, he was unwilling to put in

command of the Confederate army a man who entertained such radically divergent views from his own. Ignoring Johnston's staff and rank as Brigadier Quartermaster-General, in the army of the United States, he construed the statutory promise of the Confederate Congress to mean, that officers joining their army from that of the United States, should retain their relative positions and should be commissioned with the relative rank in the *line of the army* from which they came, ignoring the fact that staff rank was rank, as much as line rank.

And the Act of Congress did not say, "relative line rank," it said relative rank—nothing more, nothing less.

And Johnston had the right to complain, and he did complain, and to feel as he did feel, that he, the ranking officer in the United States Army, who had cast his fortunes in the Confederacy, should have been made fourth in rank instead of first in rank.

Mr. Davis says: "General Johnston does not remember that he did not leave the Army of the United States to enter the Army of the Confederate States, but to enter the army of Virginia, and that Lee ranked him in that Army."*

That is surely no reason that a soldier should first have offered his sword to his native State, who was standing by herself, before she entered the Confederacy. It can be no disqualification in a movement organized on the principle of the sovereignty of States, and that the Federal Government was the creature of the States, and that its army was subordinate to, and subject to the armies of the States.

*Memoirs of Jefferson Davis, Vol. II, p. 150.

President Davis entered first the military service of Mississippi, and no one ever thought that such action, in any way, operated as disqualification of him in patriotism, or in wisdom. This arrangement of rank Gen. Johnston felt as keenly as a blow, and resented it as such. If staff rank was ignored, Col. Cooper, Adjutant-General of the United States Army, had no other rank than staff rank, and yet he was made the ranking General. This difference of opinion, and this affront, was the source and cause of all future trouble. Johnston urged the concentration of troops with Bragg in Tennessee in 1863, and that he attack Grant in detail in Northern Mississippi. He remonstrated against Bragg's raid into Kentucky. He insisted that Holmes be ordered to report to him from Arkansas; and his remonstrance and applications were neither dignified nor subordinate in tone or style. As was natural, they were ignored or directly refused.

Thus things went on from bad to worse, until the Dalton-Atlanta campaign, when President Davis insisted that Gen. Johnston should report to him his plan of campaign and inform him categorically, if he intended to fight at all, and if so, when and where. This intermeddling with his prerogative, as Johnston considered it, was resented by him, and the consequence was his removal, Hood's fiasco in Tennessee, the direct consequence of President Davis's strategy, and Sherman's maraud through three States, and the speedy fall of the Confederacy.

Jefferson Davis, as time goes on, and the dust and

smoke of contemporary conflict clears off, will be esteemed one of the great men of history. His personal characteristics were not those generally possessed by the successful men of affairs. They, as Mr. Seward once ingenuously said, in private conversation with Mr. and Mrs. Davis, when he was Secretary of War in Pierce's cabinet, consider success the first duty. When truth will serve that, then they use truth; if not, then they use something else and reserve truth for another occasion. The fiber of Mr. Davis' mind was such that he could not understand such an intellectual proposition. His brain worked like a perfect mechanism—given certain premises—certain results must follow. He couldn't think superficially or falsely, nor could he sympathize with wrong or injustice. His heart was as large and as true as his brain. No man ever loved his wife, his children, his friends, his country, with a more intense affection and perfect devotion. Not a friend of his early youth, not one of his young manhood on the frontier, that he did not retain in his inmost heart.

After the war an old soldier of his cavalry command, in the Black Hawk War, wrote him from Texas, recalling the noble and generous care of Lieutenant Davis for a soldier in the ranks who was ill unto death, and whose life was saved by the firmness, and thoughtfulness, and kindheartedness, of his commanding officer, the ex-President. His intellect was as vigorous and as broad as his heart was great. His bearing was graceful, alert and dignified, and his voice the most silvery, as well as far-reaching, that ever has been heard in modern times.

No one who saw it will ever forget the scene at the great memorial meeting of the survivors of the Army of Northern Virginia, held at Richmond, on November 3, 1870, when President Davis was brought forward to preside. Few had seen him since his incarceration at Fortress Monroe, when he had been made the vicarious sacrifice for the sins of the Southern people.

Before him were the heroes of a hundred battles—men who had faced death and plucked victory from the very front of danger a thousand times, speechless in emotion at the sight of their chieftain, whom they loved for the sufferings he had undergone for their sakes. As Davis came forward on that platform, such a tense cry of human passion, and sympathy, and grief, and love, went up as was never heard in this world. He stood for a minute, his figure straightening and quivering with feeling, and began in a low voice, of such exquisitely silver tones that it thrilled the utmost verge of the great audience, "soldiers and sailors of the Confederacy, countrymen and friends."

Assembled on this sad occasion, with hearts oppressed with the grief that follows the loss of him who was our leader, on many a bloody battlefield, there is a melancholy pleasure in the spectacle which is presented. Hitherto men have been honored when successful; but here is the case of one who, amidst disaster, went down to his grave, and those who were his companions in misfortune, have assembled to honor his memory. It is as much an honor to you who give, as to him who receives, for, above the vulgar test, you show yourselves

competent to judge between him who enjoys and him who deserves success.

Robert E. Lee was my associate and friend in the military academy, and we were friends until the hour of his death. * * * Here he sleeps now in the land he loved so well, and that land is not Virginia only, for they do injustice to Lee who believe he fought only for Virginia.

He was ready to go anywhere, on any service, for the good of his country, *and his heart was as broad as the fifteen States struggling for the principle that our forefathers fought for in the Revolution of 1776.*

He sleeps with the thousands who fought under the same flag, and happiest they who first offered up their lives; he sleeps in the soil to him and to them most dear. *That* flag was furled when there was none to hear it; around it we are assembled, a remnant of the living, to do honor to his memory, and there is an army of skeleton sentinels to keep watch above his grave. This good citizen, this gallant soldier, this great general, this true patriot, had yet a higher praise than this—he was a true Christian. The Christianity which ennobled his life gives us the consolatory belief that he is happy beyond the grave."

As the voice of the orator rose and fell like the vibrations of a bell, of perfect modulation, it sounded like a dirge for the glorious dead and an invocation to the faithful living.

Such an orator, on such an occasion, with such an audience, has never before been seen by men, and

President Davis's words go sounding down the years, with the ring of prophecy and the power of doom. Ten generations from now they will be quoted to show what manner of man Davis was, with whom he lived, and whom he led.

"The soul of honor, the mirror of chivalry, the embodiment of generous friendship; patriot, sage, soldier, lover, father, he will furnish the model to future American citizens, of noble conduct, and high aspirations, of fortitude and courage, which will form character, as long as justice is cherished, and right believed to be desirable, wherever liberty is maintained, or sought for, and heroic endeavor is imitated.

Gen. Johnston was as intense a man as President Davis.

His letter, quoted in the first chapter of this memoir, his fiery remonstrance at the indignity put upon him in the matter of rank, gives the keynote of his life, and the clue to his feelings. He was the son of a Revolutionary soldier, who had fought for Virginia. He had been reared among the very men who fought at King's Mountain, and there was not an incident of the Southern struggle for independence that was not burnt into his boyish heart, by recital around the fireside. He knew how the Tories wore green pine twigs in their hats, and how the Whigs wore a tuft of white cotton or cotton cloth.

The sword with which Ensign Peter Johnston cleared the way at Wright's Bluff had been delivered to his hand. It should be devoted to the defence of his

Mother Virginia. Johnston was intensely clannish. The ties of blood bound him tight. Kinship created solemn obligations. He was the Virginian of the Virginians. And, while he loved Lee, with a faithful and loyal friendship, he always felt hurt that Virginia should have apotheosized him, and given Johnston a secondary place in her heart.

This was one of the grievances he felt against Mr. Davis. He had separated him from Virginia, and sent him away from his blood and kin. Johnston had a heart as tender as a child. He loved children. He loved young people. He loved those who loved him.

In October, 1861, on the line at Mumson's and Mason's Hill, below Fairfax court-house, one day he found the Lieutenant-Colonel of the First Maryland regiment riding along the picket line with his little son, a lad of five and a half years, on his pony by his side, and highly diverted with the singing of an occasional bullet which would fly from the opposite picket. For thirty years Gen. Johnston remembered that incident, and would refer to it with glee, and the very summer before his death found much pleasure in the six-year-old son of his young cavalryman of Mumson's Hill. His heart yearned for affection. The devotion between his wife and himself was an idyl.

She was the grand-daughter of Capt. Allan McLane, of Delaware, who, with his troop of dragoons, patrolled and picketed the roads around Valley Forge, in the winter of 1777, side by side with Harry Lee, of Virginia. Her father, Louis McLane, had filled and ornamented

the highest civil stations in the government, except the very highest. Twice minister to England, Secretary of the Treasury, and of State, of the United States, Representative and Senator in Congress, his daughter had graced the most elegant society in America and in England. She was witty, graceful, charming, fascinating, and, without being a raving beauty, was altogether one of the most delightful women of her day. Her husband thought her the loveliest, most agreeable person that ever lived, and she worshiped him as her knight and hero.

To the day of her death, their devotion to each other knew no change, nor experienced any moderation.

He buried her where he could be secure of a place by her side, and prepared his own resting place there, at the same time he arranged hers. Mrs. Johnston's badinage about "Johnston," as she generally spoke of him, and sometimes "Joe," was delightful. Warm hearted, impulsive, generous, of course she took up his quarrels in the army, and sometimes high discord reigned in the higher circles. The General had a great respect for her intellect, and for her character, as well as the warmest admiration for her person, and altogether, when he was eighty years old, he furnished the model for a courtly and ardent lover.

His mind was as well cultivated and trained as that of any soldier who ever lived, and as well stored with the history of men, of nations, and of wars. It was remarkably vigorous and penetrating, and he could put the most complex proposition, whether of affairs or of

ideas, in such a lucid order, and clear arrangement, as to render it capable of being easily grasped by an ordinary intellect.

He was master of a peculiarly strong, terse, Saxon English. When he was at Centreville, in the winter of 1862, the style of the address and of the orders about re-enlistment was so very forcible that many had the notion that they came from the pen of Beverly Johnston, Esq., the General's elder brother, who was his guest at headquarters a part of the time.

Beverly Johnston was a lawyer, and a scholar of English literature, of rare accomplishments and acquirements, but it is certain that the papers in question were written by the General himself. When he took command at Harper's Ferry in May, 1861, he was just a little over fifty-four years of age, with dark hair, and not a strand of gray in it; with gray eyes, a clean, clear complexion, short side-whiskers, and a close cut moustache; about five feet eight inches high, and weighing probably one hundred and thirty-five pounds. His form was perfect—a mixture of strength, activity, grace, dignity and force, altogether unusual. If Gen. Johnston had entered an assemblage in London, Paris, Berlin, or any other European capital, of the elite of that society, he would have at once attracted attention from his mien and bearing.

Lee was reposeful and dignified; Davis was graceful and dignified; Johnston was forceful and dignified.

As full of repose as Lee, as full of grace as Davis, with it all he produced the impression of vigor, of

force, of weight. He was a large man, and in regarding him one lost all power of comparison and conception of stature. The man was a master; a noble character, a great will, a large nature, was before the observer, and he was unable to compare him with others.

I called with him on Grant in Washington in March, 1866, at army headquarters, to claim the protection of the parole under the Durham Convention. Gen. Grant, without a moment's hesitation wrote the proper letter to the President, and as Johnston rose to leave, Grant rose, too, and said: "General, permit me to present my staff to you," and, touching a bell, the orderly ushered in a procession of general officers, who, hearing that Johnston was in the building, had collected in the ante-room to pay their respects to him. Gen. Grant stood on Gen. Johnston's right hand, and as each gentleman came up, presented him to Johnston.

The scene was a curious and interesting one, but the most impressive part to the Confederate was the manner in which Johnston bore himself—the dignity, the grace, the grave friendliness, with which he received this superb overture of respect. He seemed to tower above the crowd, although he was hardly of the average height, and I believe every man present that day left deeply impressed that he had met a very great man.

Johnston never doubted that the Confederacy ought to have succeeded, that the men and resources were ample. The interior lines for concentration and supply, in his opinion largely, if not quite, equalized the prepon-

derance of force on the Federal side. He said that there were three distinct periods when the Confederacy could and ought to have succeeded. The first was when he had drawn McClellan from deep-water to the Chickahominy, in the spring of 1862.

Then he said the garrisons of Wilmington, Charleston, Savannah and Mobile, with Jackson's Army of the Valley, ought to have been concentrated at Richmond, and McClellan's army would have been destroyed and peace conquered.

The next opportunity was when Grant was in Northern Mississippi in 1863, with his army scattered along the railroad from Cairo to Corinth.

Johnston again urged that Bragg's Army of Tennessee should be reinforced with the garrisons from the ports, and he should then destroy Grant in detail. This was not done.

The third lost opportunity was when Grant crossed the Mississippi, at Bruinsburgh, in May, 1863, and Johnston was ordered to command the Department of the Mississippi. He then insisted that Holmes' 55,000, whom he had at Little Rock, should be consolidated with him, and he thus be enabled to capture Grant's army. This also was refused. Johnston remained of the opinion that either of these three movements were sound on military principles, and would have proved successful. In the light of subsequent events, it seems as if he was right.[†]

[†] Time will enlarge Johnston's reputation. If there is such a thing as ill-fortune, he had more than his share

of it. He never had the chance that Lee had. If he had not been wounded at Seven Pines, a great victory would have crowned his arms with substantial results. If he had not been betrayed at Jackson, he would have joined with Pemberton and have captured Grant's army. If he had not been removed at Atlanta, he would almost certainly have defeated Sherman, and then would have ensued another Moscow retreat. But it is bootless to conjecture contingencies that never occurred. Johnston's campaigns will be judged by the canons of military criticism, and the highest authorities to-day of the military art consider them models for study and imitation. His movement from Yorktown to the Chickahominy, beyond doubt, was masterly. He fixed himself close to his own base, and made his enemy leave his behind, and expose it to destruction, as was subsequently done by Stuart in June. But Johnston's reputation will rest on the Dalton-Atlanta campaign. That retreat has no parallel in military history. Fighting and falling back, falling back and fighting, Johnston inflicted on his enemy *a loss equal to his entire force;* he himself losing not one-fifth as many as his adversary—and so skilfully was this done that when the time came to strike the final blow, at Atlanta, his people were on the *qui vive* for it. Johnston knew what his adversary was going to do and when he was going to do it. He knew that Thomas was going to cross Peach Tree Creek, three miles or more apart from the other corps, and he had made his dispositions to strike him, while extended in crossing the ford. But the order relieving him took all the spirit out

of the men, and while they were led as gallantly and handled as promptly as men could be put into a fight, by Hood, they had lost that *clan*, that *morale*, which is so large a part of the soldiers' force in battle, and they failed.

These were the misfortunes of a great heart. They will be repaired to him by posterity, for in the grand cortege of great generals, furnished by both sides in the war between the States, Johnston will be in the first rank among the very first.

His faults were all human faults. He was quick-tempered and imperious. But he was great-hearted, chivalric, generous, loving, tender, and as true a man as ever carried cross, or drew sword. In subsequent chapters will be found the loving tributes of Major-General Dabney H. Maury, of Col. Archer Anderson, and of Major Robert Stiles.

After the death of Mrs. Johnston, which occurred in 1888, he lived at his house on Vermont avenue, Washington, with his friends around him, but he always remained a citizen of Virginia, and died a registered voter of the City of Richmond.

He always went home and voted. The McLanes, his wife's brothers, and nieces, and nephews, were as tenderly devoted and attentive to him as love can be. With him he had Joseph Wheeler, his chief-of-cavalry in Georgia, the chevalier *sans peur et sans reproche*, a greater terror to Sherman's bummers than the Black Douglas ever was to Saxon invader. Wade Hampton, cavalier of cavaliers, who brought "the gentlemen of

the legion" to back Bee's faltering lines at First Manassas, and who rode with him to the conference at Bennett's house with Sherman—the first a representative from Alabama, the latter a Senator from South Carolina, Major-General Dabney H. Maury, who held Mobile against Farragut until there was nothing left to hold, Major-General Cadmus Wilcox, trusty and true as his own blade—these knights sat at the Round Table, giving the love of their hearts to as manly a Virginian, as true a gentleman, as gallant a soldier, and as able a general as America has ever reared.

This large heart, this great intellect, this broad patriotism, this devoted lover, leaves a figure misty and rather obscure and ill-defined. But as time goes on it will become more sharply and clearly defined, and be more and more recognized as one of the greatest men of a great epoch, and as an ideal for conduct and character in generations long hereafter to be born.

CHAPTER XIX.

HIS LAST SICKNESS, DEATH AND FUNERAL.*

GEN. JOS. E. JOHNSTON died at 11 o'clock Saturday night at his residence on Connecticut Avenue, Washington City. The General had been suffering for three weeks with an affection of the heart, aggravated by a cold he caught soon after General Sherman's funeral in New York. The immediate cause of his death was heart failure, due more particularly to extreme old age. His physician had been trying to keep his strength up for some days, but his advanced age had given little hope for his recovery from the beginning of his illness. The General did not seem to suffer in the least, and was conscious to the last. At his bedside was ex-Governor McLane, of Maryland, the General's brother-in-law, and the nurse. At times for about two years General Johnston had shown unmistakable signs of general breaking down. His mind often became bewildered, so that he couldn't tell where he was or how he came there. Some days after the Sherman funeral, the General one night got up out of his bed while in a state of profuse perspiration, which greatly aggravated the slight cold with which he was then suffering. This brought on a severe attack of his old heart trouble, which completely prostrated him. His physician, Dr. Lincoln, succeeded, however, with much difficulty in arresting the disease for a time, and for a day or two prior he seemed greatly improving. On Friday, how-

* Collated from the press of the day.

ever, he went down stairs without assistance, as he had done before, but it proved too much for his strength, and only with the aid of Governor McLane could he again reach his bed, or even rise from the sofa where he was sitting. From that time he continued to grow worse until about 6 o'clock Saturday evening, when Dr. Lincoln found him perfectly comfortable and apparently a little better. While his friends and attendants knew that he might pass away at any time, yet they had had no warning that the end was so near. Governor McLane entered the room at a little after 11 o'clock and as he approached the General's bedside he heard an almost inaudible sigh, and the General was dead.

AN ESCORT FOR GEN. JOHNSTON'S REMAINS.

At a meeting of Maryland Confederates at the residence of Gen. Bradley T. Johnson Sunday night, it was decided to testify their esteem for the memory of the late Joseph E. Johnston by sending a committee to Washington to attend the funeral ceremonies there and to serve as an escort to Baltimore. The following gentlemen compose the committee: Gen. George H. Steuart, Gen. Bradley T. Johnson, Adjt.-Gen. J. Howard, Col. John S. Saunders, Major Thomas W. Hall, Gen. John Gill, Col. Charles Marshall, Major W. S. Symington, Capt. F. M. Colston, W. H. Fitzgerald, J. McKenny White, M. B. Brown, Brig.-Gen. Stewart Brown, M. N. G., Gen. Joseph L. Brent, Winfield Peters, McHenry Howard, Skipwith Wilmer, Joseph Packard, Jr., Capt. George W. Booth, Capt. J. S.

Maury, C. S. N., Gen. R. Snowden Andrews, Capt. Frank H. Smith, J. Southgate Lemon, Dr. Cary B. Gamble, Col. D. G. McIntosh, Capt. C. M. Morris, U. S. N., R. Curzon Hoffman and George C. Jenkins. It is intended that Confederates generally shall assemble at the depot to await the arrival of the train.

But for the expressed wish of the old hero and the irremovable objections of his relatives, Baltimore would have made the interment of Gen. Joseph E. Johnston in the quiet and beautiful shades of Greenmount Cemetery an event in keeping with the lofty personal and military character of the gallant Confederate who has so soon followed his famous antagonist on the field of war, Gen. W. T. Sherman, to the grave.

It was the wish of the Confederate societies and others to have a grand military funeral, and to call out the Fifth Regiment and Fourth Battalion and the ex-Confederates, but it was deemed by those who knew Gen. Johnston best to be more in keeping with his simple and unostentatious tastes and habits, to bear his remains quietly to their last resting place, and inter them with only those ceremonies of the church which attend the burial of the humblest and most inconspicuous of men.

The Maryland Confederates used every endeavor consistent with good taste to change, in a degree, this determination, but in vain. Not even the acceptance of the escort of a committee was deemed by the relatives in keeping with Gen. Johnston's commands. The people will, however, be able to manifest their respect for his memory to-morrow by gathering at Union Station when

the funeral train arrives, as suggested below by the Committee.

Understanding that the immediate family of the General desired a perfectly private and quiet funeral, a committee was appointed to await upon them and earnestly request that the society of the Army and Navy of the Confederate States and representatives of Maryland National Guard be permitted to attend and take such part in the funeral ceremonies as would testify the affection and respect of the people of Maryland for Gen. Johnston.

The committee, consisting of Gen. Bradley T. Johnson, Col. John S. Saunders, Maj. N. S. Hill, Col. John Gill, Major Thomas W. Hall, Col. William A. Boykin, of the Fifth Regiment, and Gen. Joseph L. Brent, waited upon Mr. James L. McLane, representing the nearest friends and relatives of Gen. Johnston, and laid their request before him.

Gen. Stewart Brown and Col. Boykin authorized the committee to tender the escort of the Maryland National Guard, and the committee offered an escort of 10,000 men, asked that the funeral be postponed until Thursday, and promised if this delay was accorded, that every Southern State should be represented and a demonstration made of the whole Southern people for Gen. Johnston.

Mr. McLane thanked the committee for their tender and for the feeling with which it was made, but said that Gen. Johnston had recently told him distinctly that he wished to be buried as privately as possible, with only

the ceremonies of his church. In deference to Gen. Johnston's wishes, so recently and emphatically expressed, he was obliged to decline with regret the offer of the committee.

To this the committee answered that Gen. Johnston was endeared to millions of his fellow-citizens by his eminent services and patriotic devotion to the public interests, and that he was a special object of affection to the majority of the people of at least eleven States of the Union, while the whole country held him in the highest esteem, and that it would be a shock to the sensibilities of his friends and admirers if no opportunity were given to express their feelings of love and veneration by honoring his remains upon their interment.

But Mr. McLane said the funeral must take place on Tuesday morning, and that the family could not consent to any departure from the distinctly private character determined upon in deference to the wishes of the deceased General. He added, in answer to an inquiry, that an escort of the Confederate Association could not be accepted, as it would give a publicity to the funeral not in harmony with the family's views.

WASHINGTON, March 23, 1891.

This morning the body of Gen. Joseph E. Johnston was attired in a plain black suit and placed in the casket, after which it was conveyed to the front parlor of the residence.

It was an ordinary civilian's suit, and every appearance of military display was studiously avoided. No

badge, no button, no decoration of any shape or character was either about the person or the casket of the dead General. On his breast was a small cluster of violets. There was absolutely no sign that the man had been one of the most conspicuous military leaders of his age.

The casket is of the pattern ordinarily used for persons of Gen. Johnston's station. It is covered with heavy broad-cloth, and has silver bars and screws, but is devoid of any ornament.

During the day hundreds of callers looked upon the thin face of the dead General. His appearance was natural, and the expression seemed to indicate that his death was painless and peaceful. It was apparent, however, that his last illness had been a steady failure of vital powers, as he was very much emaciated. His face was very thin, and his hands were partially transparent. During his illness General Johnston had no appetite. He was sustained by small administrations of beef tea and kindred remedies.

THE DATE OF HIS BIRTH.

The silver plate on the coffin bears the inscription:

JOSEPH E. JOHNSTON,
Born February, 3d, 1809,
and
Died March 21st, 1891.

After the inscription was ordered it was positively ascertained that the date given of the General's birth was erroneous. The encyclopædias and other works containing sketches of prominent men differ on this point. Some of them date General Johnston's birth at 1807 and others 1809. On this point Dr. George Ben Johnston, of Richmond, a grand-nephew of the late General, said:

"I had several controversies with my uncle in regard to his age. He was firmly convinced that he was born in 1809, while my information was that he was born in 1807. Ex-Governor McLane also maintained that the General was born in 1809. Nor was the question determined until last night. I hunted out the old family Bible, and there, in the handwriting of General Johnston's father was the entry: 'Joseph Eccleston, eighth son of Peter Johnston, &c., born February 3, 1807.' This, of course, was conclusive, and the plate will be changed so as to make it record the correct age."

The register of the West Point Academy confirms this entry, and shows that the General was born in 1807. Upon entering West Point his age was given at 18 years and 5 months. He graduated 4 years later, in 1829, and taking these figures it is shown that the General was 83 years of age on the 3d of last February.

HE KNEW HE WAS FAILING.

A friend of Gen. Johnston, who was with him a great deal during the last year or so, says that he was fully cognizant of his steadily failing physical powers, and that it

was a source of serious annoyance and embarrassment to him. He had always prided himself upon his erect and soldierly bearing and his self-reliance. When the weakness incident to advancing age assailed him he uttered no complaint, but his friend observed that he felt the change. For instance, this friend remarked:

"Only a few weeks ago I accompanied the General home. We rode out in a car, and in front of his residence the car was stopped. The conductor, who knew him well, noticing that the General was feeble and unsteady upon his feet, jumped off and extended his arm for support. The General declined it, saying that he needed no assistance. Upon entering the house he confessed to me that he had realized his weakness, and he added: 'Of late my legs have been unsteady at times and they are much thinner than formerly.'"

Services will be held at St. John's Church at 11 o'clock, and will be conducted by Rev. Dr. Douglass. At the conclusion of the ceremonies at the church the remains will be conveyed directly to Baltimore for interment at Greenmount Cemetery. The honorary pall-bearers will be as follows: Senator John T. Morgan, of Alabama; Senator John W. Daniel, of Virginia; Hon. J. L. M. Curry; Gen. John G. Parker, U. S. A., Gen. Dabney H. Maury, Gen. Charles W. Field, Gen. Harry Heth, Rear-Admiral C. R. P. Rodgers, Rear-Admiral W. G. Temple, Gen. H. G. Wright, Gen. Benjamin W. Brice; Col. Archer Anderson, of Richmond; Col. Edwin G. Harris, Hon. J. C. Bancroft Davis and Gen. James Watmaugh.

The active pall-bearers at the funeral will be furnished by the ex-Confederates' Association of this city. They are all men who fought under General Johnston, and who hold his name in veneration. They are Captain T. J. Luttrell, Private W. A. Gordon, Private Charles Wheatley; Major Anderson, president of the association; Major H. L. Biscoe, Surgeon W. P. Young, Private Lee Robinson and Captain J. W. Drew.

The expressed wish of the family is that there be as little demonstration as possible, and for that reason requests from military and other organizations that they be permitted to act as escort have all been rejected. Gov. McKinney, of Virginia, telegraphed ex-Governor McLane this morning asking if the presence of military companies from Virginia at the funeral would be agreeable. He was at once informed that neither civic or military organizations were desired, and replied that he would attend the funeral in person, accompanied by other State officials.

Among the telegrams received by Governor McLane to-day were the following:

NEW YORK, March 23, 1891.

Ex-Governor McLane, Washington: The family of General Sherman desire to tender to the relatives of General Johnston assurances of their profound sorrow and sympathy. P. T. SHERMAN.

LEXINGTON, VA., March 23, 1891.

Governor Robert M. McLane: We have just heard of General Johnston's death, and tender our heartfelt

sympathies to his family in their bereavement. We regret our inability to attend his funeral.

G. W. C. Lee.
W. H. F. Lee.
R. E. Lee.

Savannah, Ga., March 23, 1891.

Ex-Governor McLane: My wife and I, long-time loving friends of our dead General, send our deep sympathy and sorrow to his family. His death, a keen personal loss to us, goes deep to the hearts of his Confederate soldiers and friends. G. M. Sorrell.

Hillsboro, Ala., March 23, 1891.

Ex-Governor McLane, Washington: We join in the universal and unutterable regret that we no longer have our beloved General. Joseph Wheeler.

Grenada, Miss., March 23, 1891.

General Johnston had my admiration and affection, and his family have my sincere sympathy.

E. C. Walthall.

There were many others from prominent men and others who had served under General Johnston during the war. Marcus Bernheimer, of St. Louis, telegraphed the sympathy of the ex-soldiers in that city. J. B. Washington sent a message of condolence from White Hall, Pa. Archer Anderson, from Richmond; Livingston Minas, from Atlanta; A. R. Lawton, from Savannah, and various others in different sections.

The Cotton Exchange of Savannah sent a message through its president, J. P. Merrehew. The Confederate Veterans' Association of Jefferson county, Ala., and the Confederate Veterans' Association of Kentucky also sent messages. In acknowledgement of the numerous telegrams received Mr. McLane this afternoon furnished for publication the following:

"I beg to acknowledge the receipt of numerous telegrams and cards expressing regret and affection, as well as admiration for the late Gen. Joseph E. Johnston, and, though I have not been able personally to express my entire sympathy with them in their sentiments, I have had the opportunity to communicate them to his family, who gratefully accept and appreciate them, and request me to make this acknowledgement.

ROBT. M. MCLANE."

An informal meeting of Union soldiers of Baltimore decided to attend the funeral of Gen. Johnston. They met at the office of Col. G. W. F. Vernon. It was stated that they desired to show their respect to the memory of the Confederate chieftain whom Sherman and Grant recognized as a friend. Col. Vernon presided, and Sergt. C. Armour Newcomer was secretary. Cole's cavalry and the first, fourth, sixth and tenth Maryland regiments were represented. The following announced that they would follow the remains of Gen. Johnston to the grave: Col. G. W. F. Vernon, Gen. W. E. W. Ross, Sergt. C. A. Newcomer, George W. Welch and Capt. Wm. H. Taylor.

Nearly four years ago Gen. Johnston came to Baltimore and had two graves dug in Greenmount Cemetery—one for himself and the other for his wife. He had them bricked up, and, as his friend, Gen. Bradley T. Johnson, expressed it, "he had his grave made as comfortable as possible."

The funeral of Gen. Joseph E. Johnston took place Tuesday morning, March 24, 1891, from St. John's Church, Washington. The ceremonies were of the simplest character, and when contrasted with the pomp and splendor which has characterized the recent burials of other heroes of the war was strikingly unostentatious. The funeral procession formed at the late residence of the deceased, on Connecticut avenue, and proceeded directly to the church. The honorary pall-bearers, Senator John T. Morgan, of Alabama; Senator John W. Daniel, of Virginia; Hon. J. L. M. Curry, Gen. John G. Walker, Gen. Charles W. Field, Gen. Harry Heth, Rear-Admiral C. R. P. Rodgers, Rear-Admiral W. G. Temple, General H. C. Wright, General Benjamin W. Brice, Col. Archer Anderson, of Richmond; Col. Edwin G. Harris, Hon. J. C. Bancroft Davis and Gen. James Watmaugh, occupied carriages immediately following the hearse, and after them came the carriages containing the relatives of the deceased General and friends of the family. The active pall bearers, selected from the Confederate Veterans' Association, preceded the hearse. They were T. J. Luttrell, W. A. Gordon, Charles Wheatley, Major Anderson, Major H. L. Biscoe, W. P. Young, Lee Robinson and J. W. Drew.

AN ESCORT OF CONFEDERATE VETERANS.

At the head of the column, and acting as an escort, marched about 30 members of R. E. Lee Camp of Confederate Veterans, from Alexandria, commanded by Col. W. A. Smoot. The appearance of this organization in uniform and marching as a body was contrary to the wishes of the dead General's family. The members of the organization, however, had no intention of failing to respect these expressed desires regarding organizations in line, but so many of them assembled at the Johnston residence, each anxious to pay a last tribute of respect and affection to their dead commander, that they involuntarily formed a feature of the procession which it was intended should be lacking. On the way to the church the veterans were joined by Col. Robert I. Fleming, a member of R. E. Lee Camp of Veterans, of Richmond; Gen. John M. Corse and Col. John S. Mosby, who marched at the head of the column beside Col. Smoot.

THE SCENE AT THE CHURCH.

When the procession reached the church a large crowd of interested spectators, including a large number of veterans of both armies, had assembled, and except the pews reserved for the funeral party the seats were already well filled and a number of people were waiting to gain admittance. The veterans opened a way through the crowd to the door leading into the chancel of the church, and then formed a line, in front of which the casket was borne by the active pall-bearers. The honorary pall-bearers followed and were in turn

followed by the relatives and friends of the family. As the coffin was borne slowly to the church door the entire assemblage outside the church stood with uncovered heads, showing evident feelings of veneration, which in its earnestness was an impressive as any pomp of military display could have been. Inside the church, as the casket was borne into the vestibule of the building, the organ pealed forth a funeral march.

THE CHORISTERS.

A moment later its tones were mingling with the fresh voices of the choristers rising in a solemn chant. The singers were not visible at first, but as the music continued they entered the chancel, marching slowly, and took up their positions on either side of the altar. They were followed by Rev. Dr. Douglass, the pastor of the church, who was accompanied by Rev. Dr. McKim, pastor of Epiphany church. The two clergymen proceeded across the church to the door on the H-street side, and, turning there, led in the funeral cortege. The casket was placed in front of the altar rail, where, despite the wishes of the family to the contrary, several handsome floral offerings had been surreptitiously placed, and those in attendance took their places in the body of the church.

BURIAL SERVICE.

The services were then conducted by Rev. Dr. Douglass, and consisted simply of the ordinary service of the Episcopal church for the burial of the dead, interspersed with hymns impressively rendered by the choristers. At

their conclusion the body was conveyed from the church, and, followed by those who occupied carriages, was taken at once to the Baltimore and Potomac Depot and was placed on a train for Baltimore.

So unostentatiously were all the simple arrangements carried out that even the railroad officials were not aware that the body was going to be shipped on the 12.15 train, while most of the people who composed the surging crowd about the depot were entirely ignorant of the fact that the remains of the last great General of the war were being taken to their last resting-place.

Those who followed the remains to the depot drove away as soon as the body had been placed in charge of the train officials, except a small party which had been selected to accompany the remains to Baltimore. The party consisted of Mr. Allan McLane and Dr. Johnston, of Richmond, representing the family; Senator Daniel, of Virginia, and one or two others, representing the honorary pall-bearers; Major Anderson and Briscoe, representing the active pall-bearers, and also the Confederate Veterans' Association of this city, and Prof. W. D. Cabell, representing the Sons of the Revolution. Governor McLane and the other relatives of the deceased followed the remains to Baltimore on a train at 2 o'clock.

SOME OF THOSE PRESENT.

Among those who attended the services at the church were Vice-President Morton, Gen. D. H. Maury, Gov. McKinney, of Virginia; Mayor Ellyson, of Richmond; ex-Senator Wade Hampton, Gen. Greely, Fish Com-

missioner McDonald and Prof. Cabell, constituting a committee to represent the Sons of the Revolution ; Col. John Gill, Gen. Bradley T. Johnson, Major Thomas Mackall, Irving A. Buck, J. Boykin Lee, Wilson M. Cary, and Col. John S. Saunders, of Baltimore; Major Wood, of Richmond ; Senator Cockrell, Senator Manderson, Civil Service Commissioner Thompson, Senator Hawley, Gen. Alex. P. Stewart, Col. James G. Berrett, Representative McMillan, Gen. Rosecrans, Gen. Eppa Hunton, ex-Solicitor-General Goode, Senator Butler, Gen. Beverly Robinson, Judge Hughes, of Virginia ; Captain Garden, President of the Southern Society of New York ; Major Green Clay Goodloe, of the Marine Corps ; Gen. Veazey, commander-in-chief of the Grand Army of the Republic ; M. W. Galt, Col. Richard Wintersmith, ex-District Attorney Hoge, and a host of ex-Confederate veterans from this city and the South.

ARRIVAL OF THE BODY IN BALTIMORE.

When the body arrived at Union Station, at half-past 1 o'clock, a good-sized delegation of old Confederate soldiers, with a sprinkling of those who wore the blue, were waiting to receive it. It was taken from the baggage car and wheeled across that station on a truck, from which it was lifted by a dozen pairs of willing hands. The casket was carried to the hearse by Messrs. James L. McLane and Louis McLane and the undertaker's men through two long lines of ex-Confederates, headed by Adjutant-General James Howard, with Col. J. Lyle Clark acting as adjutant. The men lifted their

hats reverently as the casket passed before them, and after it had been placed in the hearse and taken to Greenmount Cemetery they gathered about the station in little groups and spoke lovingly of the old General.

AT THE CEMETERY.

Messrs. James L. McLane, Louis McLane and Allan McLane, Jr., followed Gen. Johnston's body to the cemetery. R. M. Chambers and James McKee, of the Maryland line, also went to the cemetery and assisted in placing the body in the mausoleum, whence it will be interred in the grave Gen. Johnston had himself prepared at some future day.

SOLDIERS OF BOTH ARMIES.

Among those who met the body at the depo. were Capt. Chas. N. Claiborne, Capt. H. H. Lewis, Wm. H. Pope, Wm. H. Thomas, Lieut. J. W. Elliott, Wm. C. Thomas, D. W. Stubbs, Major Stuart Symington, S. Clotworthy, S. W. Dorsey, W. S. Skidmore, Frank X. Ward, Major F. H. Wigfall, Gustav Lurman, Joseph L. Brent, S. H. Richardson, Col. Levin Lake, F. F. Presstman, Charles W. Small, Col. George R. Gaither, John H. Briscoe, Herman Stump, Rev. Wm. H. Dame, Rev. A. DeR. Mears, F. M. Duvall, James K. Harwood, Dr. T. K. Ward, B. S. Hackney, Andrew C. Trippe, Henry A. Wise, George W. Wood, Thomas C. Pugh, Joshua Thomas, McHenry Howard, James Murray, George A. Streiber, W. R. Woody, Capt. Maury, Capt. F. M. Colston and Major Geo. C. Wed-

derburn. Among the Federal soldiers present were Gen. John R. Kenly, Col. Geo. W. F. Vernon, Capt. W. D. Burchinal, Capt. Wm. H. Taylor, Capt. L. M. Zimmerman, Sergt. C. A. Newcomer and Gen. W. E. W. Ross.

The *Baltimore Sun* has the following:

"The military career of Gen. Joseph E. Johnston, which began over sixty years ago, was marked by conspicuous gallantry at the outset, and by masterly generalship against overwhelming odds at the close. In Florida and in Mexico he exhibited a daring courage, which was proved by the number of his wounds, and at the same time demonstrated that his military abilities were of a very high order. Inheriting a martial spirit from his father, who, when a mere lad, became a revolutionary soldier, he was wedded to his profession, which was for him, as it was for Lee, a noble science, to which he dedicated all his energies. With Lee, he was one of the most notable of the group of young officers who before the war were regarded as "coming men" in the army—a group that included several Marylanders, with whom both Johnston and Lee were on terms of affectionate intimacy. When the war began he, like Lee, resigned his commission rather than fight against his native State, Virginia, and it was on Virginia's soil that he contributed so largely to the first brilliant victory of the Confederacy—the first Bull Run or Manassas. While the credit for that remarkable triumph must be shared by him with Beauregard, it cannot be denied that but for his strategy in rendering Patterson's forces inoperative

and marching to the assistance of Beauregard, the latter probably would not have been able to crush McDowell and to put his army to so demoralizing a rout as that which followed the battle. Unfortunately, General Johnston's ideas as to the proper method of conducting operations came into conflict with those of the authorities at Richmond, and it has been claimed, and probably with justice, on his behalf, that he was not permitted to work out to their full fruition the plans he had formed for baffling Sherman. His value to the Confederacy was seen, however, in the disasters that followed his removal from command, and his military reputation was fully vindicated when President Davis and his advisers turned to him in their extremity as the only man capable of repairing the damage that had been done. But it was then too late, and although General Johnston loyally exerted himself to the utmost of his powers, the doomed Confederacy toppled to its fall. Johnston stands with Lee and Jackson among the great commanders of the Confederacy, and Virginia, which may be called the mother of generals as well as the mother of presidents, has every reason to be proud of her distinguished son. A pure, high-minded gentleman, an intrepid soldier, a master of the art of war, whom the greatest of his enemies respected and feared, he presents to us and to those who come after us a noble type of the cultured American."

"The closing years of his life were spent in the service of a re-united country—that country for which he had fought and bled in his earlier years, and in peaceful and

friendly intercourse with those whom he had confronted as enemies on the field of battle. It was singularly appropriate that his last notable appearances before the public should have been as the central figure at the unveiling of the Richmond monument to Lee, the comrade and friend of his youth and his follow-hero of the Confederacy, and as one of the chief mourners at the bier of his old adversary, Sherman, who preceded him by only a few short weeks to the grave."

This distinguished soldier has quickly followed to the grave General Sherman, his one time great adversary in war, and almost life-long friend in peace. He was the oldest and next to the last of the highest Confederates of high rank. He fought in three wars, the Seminole Indian Florida war, the Mexican war and the war of the Rebellion. He was wounded in all of them, and yet lived to the age of 84 years. Gen. Johnston was accounted a very accomplished and skillful soldier during the war of the Rebellion, but circumstances, and the personal hostility of Jefferson Davis, were against him. He had occasion to complain bitterly of the interference of Davis, who, being a West Point graduate and a man of imperious will, had a great deal to say about military operations, and was as much of a hindrance to the Generals in the field, except Lee, as were the closet soldiers in Washington who tried so disastrously to direct Federal operations before the coming of Grant. Since the war Gen. Johnston has been earnestly engaged in restoring good feeling between the sections, and quickly renewed his friendship with Generals Sherman and Grant.

Indeed there was something akin in the treatment received by these great rival soldiers—Johnston and Sherman—by meddling semi-military officials on the opposite sides in the war. Johnston was the object of unrelenting hatred by Davis, operating from Richmond in Tennessee and Georgia, during Sherman's memorable campaign from the mountains towards the sea, while Sherman was subjected at the very close of his brilliant campaign and priceless service to the country to cruel aspersion and insult, almost immediately upon the death of Lincoln, by Secretary Stanton, who then happened to be in possession of power.

CHAPTER XX.

GEN. DABNEY H. MAURY'S REMINISCENCES.

I FIRST saw Gen. Johnston at Vera Cruz in March, 1847, when, after a bombardment of two weeks, the city raised the white flag, and Gen. Scott appointed Capt. Robert E. Lee and Capt. Joseph E. Johnston, of his staff, to go into the place and arrange the terms of its surrender. They were then distinguished young officers, intimate friends to each other, and their martial appearance, as they rode, superbly mounted, to meet the Mexican officers, gave a general feeling of satisfaction to our army, that such representatives of the "North Americans" had been chosen for such an occasion.

A few days before Gen. Scott had published to his army a congratulatory order announcing "the great victory won by the *successful Gen. Taylor*" on the field of Buena Vista. We young Virginians felt very proud that day.

After disposing of Vera Cruz we moved on towards the City of Mexico. The army marched along the great National road made by the old Spaniards till about April 12th, when some cannon-shots from Cerro Gordo checked the advance guard of our cavalry, and made us know Santa Anna was prepared to give us battle there.

WOUNDED IN MEXICO.

Capt. Johnston was ordered to make a reconnoissance of his position. "C" company of Rifles (now Third cavalry) was a part of his escort, I being attached to it. We had been halted in the timber, just out of sight of the enemy, some twenty minutes, when we heard the rattle of musketry, and a few minutes later the order came "fall back to the right and left of the road" to let the bearers of Capt. Johnston pass by. He had received two severe wounds while making a daring reconnoissance, and was borne back to Plan Del Rio, and placed in the most airy house in the village, where I also was borne, five days later, being severely wounded.

Stevens Mason, captain of the Rifles, was taken there also, and a few days after, Lieut. Derby (John Phœnix) was brought in and laid on a cot by my side.

A DISCIPLINARIAN.

The rooms were separated by partitions of reeds, which admitted the passage of air and sound, and we could converse from one room to another. Derby's coarse humor was irrepressible. Nothing could stop it, and it gave annoyance, especially to Capt. Johnston, who was as pure as a woman in word and thought. But he lay quiescent, without any expression of pain, though his wounds were the most grievous of all, and silently endured Derby's jokes till he heard him one day order his servant to catch a lamb from a passing flock and have it cooked for dinner. Then he lifted up his voice and said: "If you dare to do that, sir, I will have you court-martialed."

After ten days Gen. Scott had all of us borne on litters up to the beautiful city of Jalapa, where we were in a delicious climate and luxurious quarters.

After getting strength enough to walk to Capt. (now Col.) Johnston's quarters—he had been promoted to the lieutenant-colonelcy of the fine regiment of voltigeurs—I went to see him every day, and we there formed an attachment which ever grew until the end. His nephew, the gallant young Preston Johnston, of the artillery, was his constant companion and nurse. Ten months later both had been shot down in battle "in the valley." Young Preston Johnston was killed instantly. His uncle, then heading the voltigeurs at Chapultepec, was again severely wounded.

TENDER AFFECTION.

Only a month ago he told me with deep feeling of his distress on hearing of his brave boy's death, and how Lee, who broke the news to him, wept as he grasped his hand and told it. The affection between these two great men was very tender.

A COMPARISON.

After the Mexican war we met no more on duty until about 1858, when a board of cavalry officers was assembled in Washington to establish a uniform equipage for our cavalry and artillery regiments. We were occupied several weeks on this business in Winder's building, where during the same time Capt. William B. Franklin and Raphael Semmes were serving together on the light-house board.

One day, after our daily session, Franklin said: "Now that you have seen Lee and Johnston working together for some weeks, how do you estimate the two men? In previous discussion I had thought Lee more full of promise and capacity."

I said: "While both are as earnest and intelligent as possible, I have noticed that Col. Lee often yields his opinions to those of the board, or of other members of it, while Col. Johnston has never on any occasion yielded his, but frequently has made the board yield to him. In fact, he is the one man who seems to have come to his work with a clear and fixed idea of what is needed in every detail of it."

CORDIAL INTERCOURSE.

Our intercourse, as you know, has been cordial and even affectionate ever since we met in Mexico. I was with him for a few days after the first battle of Manassas, and accompanied him as he rode over the field, and described the course and incidents of the fight. Then, I being ordered to the West, met him no more until about Christmas, 1862. When he came to our army at Grenada with President Davis, who reviewed and inspected it, the army was in position in our entrenchments on the Yallabusha. I commanded the centre, and was in my place when Gen. Johnston rode out from the President's *cortege*, greeted me most cordially, and asked me to ride with him, which we did for several hours.

A MISTAKE.

He had just returned from an inspection of Vicksburg,

and told me he had never seen so much fortification, and thought it a mistake to keep so large an army in an entrenched camp; that the army ought to be in the field; that a heavy work should be constructed to command the river just above Vicksburg, at "the turn," with a year's supply for a good garrison of about 3,000 men, which would guard the river better than the long line of dispersed guns and entrenchments and troops which extended above and below Vicksburg for more than twenty miles.

While commanding the Department of the Gulf, I occasionally sent him supplies of provisions, troops, and some siege pieces, which he mounted on the works at Atlanta, declaring *thereby* his intention to "*keep that place.*" After his removal from command, I received this very interesting letter from him:

GENERAL JOHNSTON'S LETTER.

MACON, GA., September 1, 1864.

My dear Maury—I have been intending ever since my arrival at this place to pay a part of the epistolary debt I owe you. But you know how lazy it makes one to have nothing to do, and so with the hot weather we have been enduring here I have absolutely devoted myself to idleness. I have been disposed to write more particularly of what concerns myself—to explain to you as far as practicable the operations for which I was laid on the shelf, for you are one of the last whose unfavorable opinion I should be willing to incur.

You know that the army I commanded was that which, under Gen. Bragg, was routed at Missionary Ridge. Sherman's army was that which routed it, reinforced by the Sixteenth and Twenty-third corps. I am censured for not taking the offensive at Dalton—where the

enemy, if beaten, had a secure refuge behind the fortified gap at Ringgold, or in the fortress of Chattanooga, and where the odds against us were almost as ten to four. At Resaca he received five brigades, near Kingston three, and about 3,500 cavalry, at New Hope church one—in all about 14,000 infantry and artillery. The enemy received the Seventeenth corps and a number of garrisons and bridge guards from Tennessee and Kentucky that had been relieved by "100-day men."

FOUGHT EVERY DAY.

I am blamed for not fighting. Operations commenced about the 6th of May. I was relieved on the 18th of July. In that time we fought daily, always under circumstances so favorable to us as to make it certain that the sum of the enemy's losses was five times ours, which was 10,000. Northern papers represented theirs up to about the end of June at 45,000. Sherman's progress was at the rate of a mile and a quarter a day. Had this style of fighting been allowed to continue, is it not clear that we would soon have been able to give battle with abundant chances of victory? and that the enemy, beaten on this side of the Chattahoochee, would have been destroyed?

SHERMAN'S ARMY STRONGER.

It is certain that Sherman's army was stronger, compared with that of Tennessee, than Grant's, compared with that of Northern Virginia. Gen. Bragg asserts that Sherman's was absolutely stronger than Grant's. It is well known that the army of Virginia was much superior to that of Tennessee. Why, then, should I be condemned for the defensive, while Gen. Lee was adding to his great fame by the same course? Gen. Bragg seems to have earned at Missionary Ridge his present high position. People report at Columbus and Montgomery that Gen. Bragg said that my losses had been frightful; that I had disregarded the wishes and instructions of the President; that he had in vain implored me

to change my course, by which, I suppose, it is meant assume the offensive.

UTTERLY UNTRUE.

As these things are utterly untrue; it is not to be supposed that they were said by Gen. Bragg. The President gave me no instructions, and expressed no wishes, except just before we reached the Chattahoochee, warning me not fight with the river behind us, and against crossing it, and previously he urged me not to allow Sherman to detach to Grant's aid. Gen. Bragg passed some ten hours with me just before I was relieved, and gave me the impression that his visit to the army was casual, he being on his way further west, to endeavor to get us reinforcements from Kirby Smith and Lee. I thought him satisfied with the state of things, but not so with that in Virginia. He assured me that he had always maintained in Richmond that Sherman's army was stronger than Grant's. He said nothing of the intention to relieve me, but talked with Gen. Hood on the subject, as I learned after my removal.

THE OBJECT.

It is clear that his expedition had no other purpose than my removal, and the giving proper direction to public opinion on the subject. He could have had no other object in going to Montgomery. A man of honor in his place would have communicated with me, as well as Hood, on the subject. Being expected to assume the offensive, he attacked, on the 20th, 22d and 28th of July, disastrously losing more men than I had done in seventy-two days. Since then his defensive has been at least as quiet as mine was. But you must be tired of this.

HOSPITABLE GEORGIANS.

We are living very quietly and pleasantly here. The Georgians have been very hospitable. We stopped here merely because it was the first stopping place.

ber us cordially to Mrs. Maury. Tell her that the gloves arrived most opportunely. Mine had just been lost, and it would have been impossible to buy more, and they are lovely.

Just before I left the army, we thought the odds against us had been reduced almost six to four. I have not supposed, therefore, that Sherman could either invest Atlanta or carry it by assault.

Very truly yours,

Major-Gen. Maury. J. E. JOHNSTON.

Since the great war between the States, we have been often so associated as to impress me with the tender nature which underlay the martial mind and person of our great soldier. As a host, and with his wife, he was attentive and tender above all men. She was very humorous and jovial, and delighted to have a joke on him, and he enjoyed it from her as heartily as any of us.

WHY DON'T YOU RUN AWAY?

One day, at Sweet Chalybeate Springs, a party of us, as usual, assembled before dinner around one of John Dabney's great hail-storm juleps. The General was sitting near the baluster of the portico, which overlooked the walk beneath, and deep in some narrative, when he was interrupted by a shriek, which startled us all, and broke in upon his story. After looking over to learn the cause of such a yell, he re-commenced his story, but was again interrupted as before. Again he looked, and then again resumed, only to be interrupted a third time. Then, fierce as Mars, he looked down upon the screamer, and said:

"Why don't you run away? Why don't you run away?" I suggested: "Well, that's fine advice for a great general to give." Turning savagely upon me, he said: "If she will not fight, sir, is not the best thing for her to do to run away, sir?" Mrs. Johnston, with a burst of her hearty laugh, said: "That used to be your plan always, I know, sir." This relieved us all, and we burst into a laugh, in which he joined as heartily as any.

A TERRIBLE GOBBLER.

The cause of all of this disturbance was a young woman in a red cloak, upon whom a turkey-gobbler charged. The girl stood still and shrieked with fear. The gobbler then wheeled in retreat, only to make another charge on the paralyzed woman, whose only course each time was to shake herself and shriek until somebody came and drove the gobbler away.

ELDER'S PICTURE.

The State of Virginia employed Jack Elder to paint his portrait—a good one it is—and now hangs in the rotunda of our capitol, beside Lee's. I was asked to go and keep him in chat while the artist was at work. The first sitting was occupied by him in discussing Napoleon, Marlborough and Wellington, and a short-hand writer might then have recorded the most terse *critique* ever pronounced on these great commanders.

THE LITTLE CORPORAL.

He placed Napoleon above all the Generals of history.

Marlborough he ranks above all Englishmen, and censured Macaulay for allowing his partisan feelings for King William to transmit as history his aspersions of Marlborough. Wellington he considered a very great General, but denounced his brutality in Spain, in giving to sack, by the British soldiery, the cities of the people he was sent there to defend and protect.

HIS OPINION OF FORREST.

The next day we had another sitting, and he discussed the Generals of our war. He spoke most highly of Forrest, whom he had closely observed, and declared to be the greatest soldier the war produced. You know how keenly he felt that the Virginians had known so little of him in our war. His strongest desire was to be identified with Virginia. 'Twas this caused him to agree to go to Congress, and, up to the last, he often expressed his wish to live in Virginia.

A TRUE DESCRIPTION.

One day, during his canvass for Congress, Mrs. Johnston, meeting me on Main street, said: "Can you tell me where my husband is?" I went at once, and found him, and said: "The handsomest and brightest woman in Richmond is looking for her husband." "There is but one woman in Richmond who answers that description, and she is my wife. I'll go to find her at once."

Some time after I heard he had been laid up by an accident to his leg, and went to see him. He was sit-

ting in the parlor, with his leg extended over a chair. His wife was by him, and affected to triumph over him in his crippled condition. I said: "That's very ungrateful in you to so treat the husband who loves and admires you as he does," and then told her the above incident. She said: "You old goose, you, do you let him fool you in that way? Don't you know he said that to you, knowing that you would come and tell me?"

He joined heartily in the laugh, as he always did when she raised one at his expense.

HIS TENDER CARE.

You remember that ten years or so ago, Mrs. Johnston was very ill for many weeks at the White Sulphur. The General nursed her with the tender care of a mother. He never left her, except to get a hurried meal, from which he hastened back to her sick chamber. Mrs. James Lyons was an active and constant friend, and so soon as Mrs. Johnston began to improve in health, she insisted that the General should relax his anxious watch, and induced him to take the air for an hour or two every day. But he would never go far from their cottage door, but sat upon a fallen tree on the lawn, in sight and sound of it, and conversed with a friend. On these occasions he talked all the time, and all he ever said was full of strong conviction and good sense.

RETICENCE AND EMBARRASSMENT.

Genial and confiding as he was to the friends he knew

and trusted, he was reticent and even aversive to those whom he did not like, and was quick to resent any freedom or liberty from those he did not like nor know. Of all men in the world, he was the least fitted for the work of canvassing a Virginia district, and he never went upon the hustings that his friends did not fear he would give offense to somebody, and in this we were sorely disappointed. He could not overcome his embarrassment in making an *extempore* speech, and therefore, tried to write out his speeches and get them by heart. But he found it impossible to commit to memory what he had written himself, though in all other directions his memory was the most accurate and retentive. Towards the last years of his life he could not command it in little matters, and was often at a loss for the exact word he wished. This was a great trial to him, and in it he recognized the beginning of the end. There was a magnetic power about him no man could resist, and exact discipline followed at once upon his assuming any command.

A WRETCHED CONDITION.

When he took charge of the great army which had been defeated, and disorganized, before his arrival to its command, it was in wretched condition. Most of the general officers were in open hostility and avowed mistrust of the general commanding, and indiscipline prevailed throughout. When Johnston came the change was instantaneous, and henceforth no army of the Confederacy ever equaled Johnston's in drill and high discipline.

HOW HE IMPROVED IT.

Gen. Carter Stevenson was one of the division commanders of that army, of the largest experience and military accomplishments. He had served in every army of the Confederacy, and actively in all of our wars since 1834. He told me he had never seen any troops in such fine discipline and condition as Johnston's army the day he was moved from its command.

Gen. Randall L. Gibson had been in constant action in the Western army (he it was who closed an honorable record by his masterly command of the defences near Spanish Fort, on the eastern shore of Mobile Bay, in the last battle of the war between the States), and says, that when Johnston assumed command of that army it was somewhat demoralized, but, when the campaign with Sherman opened, the worse regiment in it was equal to the best when he came to its command. A Missouri soldier, of Cockrell's brigade, which Johnston declared to be the best body of infantry he ever saw, was on his way back to his regiment, after recovery from a wound. I asked him, "What do you all think of the change of commanders?" "Oh, sir, we are mightily cut down about it! The bomb-proofs and the newspapers complain of his retreats. Why, we did not miss a meal from Dalton to Atlanta, and were always ready for the fight. We never felt we were retreating."

GRANT'S OPINION.

During that campaign, Bishop Lay went to City Point to get a pass from Grant to enable him to return to his

home. He told me Grant sent for him, invited him to his headquarters, and talked freely with him for a long time. He seemed, to the Bishop, to feel that he was handling Sherman's army during that campaign. He said that the telegraph was a wonderful accessory of war; that every night he and Sherman conversed by it an hour or two about the movements of the army on that day, and what it was to do on the next. And, he said; "Bishop, when I heard your government had removed Johnston from command, I was as happy as if I had reinforced Sherman with a large army corps."

SCHOFIELD.

During the past year, Gen. Johnston, responding to me, said in his emphatic manner: "Yes, I consider Gen. Schofield much the ablest soldier, and the highest gentleman, who has occupied that office since I have known it."

Such a tribute, from such a source, must be very gratifying to such a soldier as Schofield is. And, you know, just praise is the breath of the soldier's life, and its highest aim

THE BEST SHOT.

The General bitterly deplored the long inaction which his severe wounds at Seven Pines enforced upon him. When he was lying at Mr. Crenshaw's, in Richmond, where he was brought from the field, his medical director, Dr. Fauntleroy, told me an old Virginian called to pay his respects and sympathy.

He said: "Not only do we deplore this cruel afflic-

tion upon you, General, but we feel it to be a national calamity."

"No, sir," said Johnston, fiercely, rising suddenly upon his unbroken elbow, "The shot that struck me down was the best ever fired for the Southern Confederacy, for I possessed in no degree the confidence of this Government, and now a man who does enjoy it will succeed me, and be able to accomplish what I never could."

EMBITTERED HIS LIFE.

The consciousness of wrong done him, and of the non-appreciation by his Government, bore hardly upon him all through our long war, and was a misfortune for him and for our cause, and embittered his life to its end. Proud and unyielding as he was to injustice, he was quick and gentle in his sympathy for all that were weak and unfortunate.

For over fifty years he was the tender, devoted lover of his wife, and was always true and affectionate to his kindred. He loved young people and drew them to him. He yearned for children of his own. He and my children were fervent friends. Only a few month's ago he said to me: "You are truly blessed in your children," and it will ever be their, and my consolation, that we enjoyed his affection, for he was the honestest, bravest, and gentlest gentleman who ever gave us his trust and love.

A STUDENT OF HISTORY.

To the end of his life he was a student of history bearing upon his profession. During the past few

months I found him reading memoirs of Tamerlane (Timur the Tartar), of which he read me nine striking pages, as on another day he read me with great feeling "Thiers' narrative of the last days of Napoleon at St. Helena."

And the very last day I saw him—the last on which he left his chamber—I found him with DuGuesclin open before him.

WE WILL MEET AGAIN.

His disease had then become very grave and distressing. I sat by him but a short time, and expecting to go on a long journey next day I told him so, and said good-by. He drew me to him, kissed my cheek, then again kissed my lips tenderly as a father. I said: "We will meet again soon if the yellow fever don't carry me off."

He said, with strong emotion and emphasis: "Yes, we will surely meet again." I never saw him any more.

DABNEY H. MAURY.

CHAPTER XXI.

REMINISCENCES OF COL. ARCHER ANDERSON.

YOU ask me to give you some recollections of my intercourse with Gen. Joseph E. Johnston. I shall not attempt any formal estimate of his character as a commander of armies. That could only be undertaken after a careful review of all his campaigns. I will endeavor merely to recall some incidents, and conversations, which may help to portray the inner, personal nature of the man, who was generally known to his countrymen only under the soldier's stern exterior.

The circumstances of Gen. Johnston's early years were such as strongly to encourage the martial instincts which he inherited at his birth. To the end of his life he was accustomed to talk with pride of his father's distinguished service in the Revolutionary War as an officer of Lee's legion, and he would tell the story of the campaign in the Carolinas, as he heard it from Peter Johnston's lips, with all the fire that marked his own descriptions of Cerro Gordo or Chapultepec.

The incidents of the war of 1812–15 in America, and the distant reverberation of Waterloo, doubtless stirred the boy's heart, and, indeed, I once heard him describe to a child with some humor how in his seventh or eighth year he first proclaimed his purpose to be a soldier by appropriating the sword and part of the uniform of some kinsman, fresh from the field, and taking instant command of a troop of young servants.

The love of war was in his Scotch blood. And he always kindled at any mention of Scotland or Scottish men. Once, in discussing with him the different characteristics of European soldiers, somebody said that, after all, the English soldier was the stoutest Europe had seen since Cæsar's legionaries.

"I think the Scotch the best," the General quickly rejoined, with that slight toss of the head, with which he sometimes emphasized the expression of an opinion he was ready to do battle for. He was proud of his Scotch descent, tracing close kinship with the family from which sprang the historian, Robertson, Lord Brougham, Patrick Henry, and, I believe I may add, Mr. Gladstone. A visit, which he was able to make to Scotland a few years after the close of our late war, was ever afterwards a subject he loved to talk about. The lowland country, as the home of his ancestors, and its remains of strongholds, attesting the martial habits of their former possessors, had a peculiar charm for him; and it was only a year ago that, after an animated conversation about these things, I heard him murmuring in a soft, clear voice:

"Within the bounds of Annandale
The gentle Johnstones ride;
They have been there a thousand years,
A thousand more they'll bide."

Not till many months afterwards did I learn where these lines came from. Walter Scott wrote them as a motto for one of the chapters of the "Fair Maid of Perth, and, when I found them there, all of the Gen-

eral's great love of Sir Walter was agreeably recalled. It was delightful to hear him describe the arrival of the first Waverley novels in his father's quiet country home. The family circle would quickly form around the blazing wood fire, one of the elder brothers would begin to read aloud the entrancing story, and the interruption of the summons to supper or bed was always met with a general murmur. It was touching to see the old soldier, in his 84th year, comparing favorite passages with a little girl of thirteeen, but lately introduced to Scott's magic world. Love of Sir Walter at once broke down all barriers between these representatives of the two extremes of life, and from that moment they were fast friends.

The General's father and elder brothers were men of uncommon ability and culture, and the intellectual and moral training he received at home was no bad preparation for a great career. In that circle, the "best that had been said and done in the world" was often read aloud and discussed. It was there the General got his love for some of the great masterpieces of literature. Schliemann himself was not a greater enthusiast about Homer. The old soldier talked about the heroes of the Iliad, as if he had fought at their sides. Diomed was his favorite.

It was the heroic fibre in him that was strung into tension at every contact with greatness, in fiction or history.

He had a definite image, in his mind's eye, of every soldier who had played a great part in the world, and

he talked about each one, from Alexander to Napoleon, with criticism as discriminating, and feeling as deep as contemporaries would have called forth. His conception of the qualities necessary to form a soldier of the first rank was so exalted that, when he found one, he could not tolerate the idea that such greatness could be coupled with weakness or crime. Hence, he never forgave Macaulay for blackening Marlborough, or Lanfrey and the radical school for belittling Napoleon.

There never was a soldier, perhaps, who delighted more in the habitual contemplation of the great examples of military conduct which fill the annals of war. And nature had so endowed him, in heart and soul and body, that he was fit to be moulded by such examples.

We had been discussing Napoleon one day, and something was said about the number of times the Emperor had been wounded. "Let me show you," he said, "what Thiers says about the marks of wounds found on his body," and with that he read aloud Thiers' touching description of Napoleon's death in tones that cannot easily be forgotten. Tears were streaming down his face when he closed the book.

It is almost unnecessary to say that his knowledge of military history was minute and profound. In his old age reading had become physically burdensome, and he did not care much for new books. But his mind easily reproduced all he had read in his younger days. I was trying to get him to look into some parts of Carlyle's "Frederick" without much success, and offered to read to him one of his battle pieces. "Stop," he said, "I

have not read about that battle for thirty years, but I think I can show you exactly the position and movements of the armies." Then, suiting the action to the word, he got down on the floor and, taking books from the table, displayed all the evolutions of the Prussians at Leuthen.

In his early years in the army he had been a great student. He had, after leaving West Point, read in the original most of the great Latin authors, and in translations the principal Greek classics. With these he combined a great deal of history and, particularly, military history.

He was exceedingly fond of the older French memoirs, of which his library contained some fine copies. One visitor in the last two weeks of his life found him reading the memoirs of Sully, another, the life of Du Guesclin. Du Guesclin was one of his favorite heroes. How he loved to tell that story of the commander of a besieged fort, who would yield his sword only to Du Guesclin's dead body !

But all this ardor in the pursuit of knowledge was coupled with an equal love for out-door occupations, for riding and shooting and all martial exercises. Though of short stature, he had great muscular development and activity.

The story used to be current at Centreville in 1861, that he and Beauregard, returning to their quarters in a farm-house, had been seen to vault over the paling that surrounded it. He had that love of wielding weapons, which would have fitted him to lead men in battle, in the

days when commanders of armies fought with their own hands, and he had a specially tender feeling for generals whose foible was to dash foremost into the thickest of the fight. How often was this trait of Prince Eugene on his lips!

His love of arms and armour was always very striking. As Sir Walter Scott's first excursion on reaching Rome was to the neighboring feudal castle of Bracciano, so the General's liveliest reminiscence of Paris was of the collections of the Musee d' Artillerie. And later, I remember the delight with which he showed a richly illustrated history of arms and armour, which he had picked up at some cost in New York. So his anecdotes of shooting and hunting in the Wild West were told with the zest of the keenest sportsman.

His service in the old army had made him familiar with most parts of the United States. The long span of his life connected periods very far apart in the development of the country, and it was interesting to hear his descriptions of different stages of this progress. The story of the movement of his company from Fort Monroe to the theatre of the Black Hawk war and its return, with all the details of the route, was one of these. In coming back the company marched from the Ohio across Virginia to Richmond, the officers, of course, on foot like their men. On the last day's march, some gentlemen of the neighborhood went to meet the troops at a famous tavern, thirteen miles from Richmond, and invited Lieutenant Johnston to remain with them to dinner. He accepted their hospitality, but was obliged

to overtake his company, which was to embark the next morning at Rocketts, by a night march in a driving rain to Richmond. So ended in storm and mud the inglorious Black Hawk campaign; but the General's account of his share in it gave a lively picture of the aspect of the country, the condition of the people, and the means of travel and transportation at that day.

General Johnston had not the arts of popularity. His nature was too reserved to admit of that frank and ready speech, which wins immediate access to every heart. He gave his confidence slowly, and was not accustomed to disclose his inmost thoughts, except to those whom he counted as personal friends. These knew the warmth and depth of his affections, his tenderness, his love of children, his unostentatious benevolence, and above all the constancy and fidelity of his nature. And they loved him all the more, perhaps, for certain peculiarities of speech and temper, which sometimes gave offence; for these showed that the hero had points of contact and sympathy with ordinary humanity. There are characters so perfect as to produce around them an atmosphere of coldness and constraint. General Johnston was not one of these. Though slow to form friendships, he was altogether hearty and human in his intercourse with men. He loved good cheer, he enjoyed a glass of wine, and his conversation at a dinner-table with congenial companions was often fascinating and memorable. His speech was measured and never quite fluent; but the fitting word was always found, the thought was clear and its expression terse and striking. Upon any

subject which had engaged his intellect and feelings he was an effective talker, and, as the good bishop said of Macaulay, it was generally safer to agree with him at once—you were pretty certain to have to do so in the end.

But this, in truth, was only another aspect of those qualities which made him a soldier. A soldier must see one side very clearly, and believe in one course very firmly. There must not be much room in his mind for refinements or reservations. And so, naturally, it was the General's military talk which was the most charming. Whether on the march, or at the rough camp table, or at some luxurious board in the piping times of peace, he could always be drawn out by a skilful question or two, into most abundant and instructive criticism and narrative of great campaigns.

To the general public, his manner had in it something that was austere, and sometimes abrupt. This did not impair his influence with soldiers. Even in this democratic country, citizen soldiers did not expect from their commanders the conciliatory manners of politicians. They divined at once, under Gen. Johnston's martial bearing, the stout soldier and daring leader. They soon recognized his protecting care for their comfort, his forethought and justice, and were at once inspired with confidence in his powers of command. There was about him an air of strength and daring, which promptly invigorated his followers. This was strikingly displayed at Dalton, Georgia, in December, 1863.

The Army of Tennessee was demoralized by recent disaster at Missionary Ridge When Johnston assumed command, confidence and military spirit instantly revived. And all this came about without any display, or boastful promises on the part of the commander. The army felt that a bold heart and penetrating mind would bring to bear upon its fortunes the highest military skill and the most patriotic devotion.

If this was the effect he produced upon his own troops, the respect he at once inspired in the enemy's ranks was equally marked. Nothing is more striking than the uniform testimony of Gen. Sherman and all his officers, to Johnston's signal merits as a commander.

And the same opinion has prevailed amongst the best foreign military critics. The estimate of Chesney, placing him by the side of Turenne, is well known. The Comte de Paris had an equally high admiration of him, which he gracefully manifested in his recent tour in this country, by making to Gen. Johnston, at his home in Washington, the only visit he paid, except to Gens. Sherman and Schofield. Gen. Johnston was not at home; but he afterwards met the French Prince at Richmond and Philadelphia, and received from him marks of the greatest deference and respect. And the Count, who has shown the most soldierly and liberal spirit in recognizing the military merit of Confederates, as entitled to equal consideration with that of their late antagonists, has earned for himself the thanks of all Southern soldiers by the generous and sympathetic utterances which the death of Gen. Johnston drew from

him. These were in keeping with the high admiration he showed for him in life. At a dinner given by a distinguished Federal General, at which a number of famous Northern officers were present, the only toast the Comte de Paris gave was to Gen. Johnston—the chivalrous Frenchman, who had fought against him, making it a point, when thus surrounded by Northern officers, to propose the health of the old hero of the South.

The strangers from other lands, who saw him then for the first time, were amazed to learn that he would soon complete his 84th year. There was surely a rare union in Gen. Johnston of physical and mental vigor. Never was healthy mind lodged in a healthier body. Though that body was riddled with bullets, no unsound spot was ever developed in it till the labor of four score years was done.

During the war he sustained all sorts of fatigues and hardships as easily as the youngest of his followers. He was, at all times, the very type of a hardy soldier; and the idea would often come into the minds of those about him that the men who, with the Roman short sword conquered the world, must have looked like him. It was this martial bearing that at once won the hearts of soldiers. It conveyed an instantaneous impression of his most marked characteristic—indomitable courage. Few men ever had such a look in battle. The flashing of his eye, and the movements of his body, were more potent commands than any spoken words. Never was warlike temper more visibly stamped on face, gesture

and bearing than in the person of this grand leader, in the crisis of action. To see him, then, was to receive a new impulse to battle.

Such were some of the elements out of which that rare product—a man fit to lead armies— was formed. Only a few such men are born in a century. If, in 1870, France had possessed one such, there would have been defeat, perhaps, but no disgrace. No army would have been lost; every inch of ground would have been contested; and, before the siege of Paris could have been formed, new levies, rallying about a nucleus of veterans, would have reversed the balance of numerical superiority. The capital and the military honor of France would have been saved.

For these reasons, then—even if affection and pride were dead in us—such a soldier should not lack enduring commemoration. The safety of the country can never be assured if each generation shall not produce one such hero to lead her armies in the day of peril.

And to cherish the fame of the great and good commander is to transmit to posterity the high thoughts and feelings which in each age are needed to warm into life every latent germ of military virtue.

ARCHER ANDERSON.

CHAPTER XXII.

THE RICHMOND MEMORIAL MEETING.

THE Johnston meeting held at the Chamber of Commerce yesterday evening, was thoroughly representative of all classes of Richmond's citizens.

The meeting was called to order by Judge George L. Christian, on whose motion, Mayor J. T. Ellyson was elected chairman.

Mayor Ellyson, on taking the chair, said he had called the meeting at the request of Lee Camp, Confederate Veterans, to take suitable action to secure the removal of the remains of Gen. Joseph E. Johnston to Richmond. He did not hesitate to comply with the request and issue the call, for he felt that in so doing he was but carrying out, and indeed, anticipating the wishes of the citizens of Richmond, who he knew would endorse any action of the meeting, looking to the end in view.

On motion of Mr. W. L. White, Judge George L. Christian was elected secretary.

It was moved and carried, that a committee on resolutions be appointed, and the Chair announced the following: Major Robert Stiles, Colonel W. H. Palmer, Colonel Alexander Archer, Judge E. C. Minor, and Mr. Joseph H. Thomas.

BEAUTIFUL RESOLUTIONS REPORTED.

The committee, after consultation, reported through Major Stiles the following:

Virginia mourns the last of her great soldier triumvirate, Jackson, Lee, Johnston—all stainless, each one as good as great.

Within a year after he drew aside the veil that hid the image of the God-like Lee, Johnston himself passed from us, and beyond that greater veil the three Christian heroes have entered upon immortal comradeship. Weeping Virginia, though Rachel-like, lamenting her children because they are not, may yet lift her bowed head with this proud reflection: Even in these degenerate days have I borne peerless sons, and, while in some sense I must give them up, yet are they mine forever.

More essentially, perhaps, than any other great American, Joseph E. Johnston was the soldier—the *trained, professional soldier*. As such, he was less perfectly in touch with the mass of the people, and in proportion to his merit less appreciated by them than were most of the other heroes of the war. The Christian civilization of to-day rightly yearns for peace, but wrongly refuses to estimate fairly the greatness that is born of the profession of arms alone. A quarter of a century ago, as the majestic figures of our great generals emerged from the smoke of battle, and moved out from the soldier life, from camp and march and field, into the unromantic walks of our selfish, scheming business world, men marveled at them as anomalies, and demanded "whence have *mere soldiers* these characteristics; this purity and consecration, this majesty and strength?" Those of us who have to some degree lived, and loved, the life of the soldier make answer:

"These men were cast in this mould; they are not anomalies, but the lofty yet normal outcome of a grand system of physical and mental and moral training." What, then, is the training and what are the formative elements of this life?

ESSENTIAL CHARACTER OF THE SOLDIER LIFE.

We answer: The essential character of the soldier life is "SERVICE"—its all pervading law is "DUTY." Its first lesson is OBEDIENCE *unquestioning*—its last lesson COMMAND *unquestioned*. Its daily discipline ACCOUNTABILITY *unceasing*—its final burden RESPONSIBILITY *unmeasured*. Its every-day experience HARDSHIPS, PERILS, CRISES *unparalleled*—its compensation FIXED PAY. Its inspiration PROMOTION FROM ABOVE.

Here is the mould. Does it not prefigure the man we mourn and honor to-night? His purity, his loyalty, his directness, his robustness, his majestic simplicity, his devotion to duty, his heroism? Yes! God made him in body, mind and soul a youth capable of responding to this noble training and absorbing these lofty influences; but they made him the man and the hero he was.

Thus was he *soldier-trained* to a great character and a grand career, to a majestic manhood and a mighty life, but his spirit soared even higher, because he was also *God-created*, high-souled and broad-minded. It is noteworthy how his soldier training and his soldier spirit entered into, inspiring or modifying, his almost every act and utterance, and yet how his personal eleva-

tion and breadth bore him up, and away above and beyond the mere soldier.

FOUGHT BRAVELY UNDER WHAT HE CONSIDERED INJUSTICE.

Where will you find anything finer than his palliation of the failure of a gallant officer (afterwards prominent upon the Federal side) to espouse the cause of his native South, upon the ground, as he said, that his friend was essentially a soldier, and had failed to secure in our service the rank to which his worth, and his position, in the old army justly entitled him—all unconscious the while of the noble contrast which his own conduct presented in turning his back upon a higher position in the old service than any other Southern officer sacrificed, and never sulking, but fighting to the bitter end under what he considered injustice like to that which repelled his friend?

His mere intellectual pre-eminence does not even require distinct assertion. Not only does his career throughout bear witness to it, but it is, perhaps, not too much to say that by the general consensus of competent opinion in the United States, North and South, Joseph E. Johnston is ranked as at least the peer of any officer upon either side of the late war, not in intellect *only*, but in all the learning and skill of his profession.

He was even more than this. It is questionable whether there can be found, in all the annals of war and of defeat, a sublimer exhibition of imperturbable poise of soul and perfect command of the very utmost of

one's supremest powers than is furnished by Johnston's great double act of soldiership and statesmanship in the battle of Bentonville, and the convention with Sherman.

But not only did his comprehensive intelligence and his high-souled strength overlap and rise above the broad, high ideal even of the true soldier—if soldier only—but his heart and his affections were so rich and so loving that even his lion-like masculinity could not banish from his intercourse with his family and his friends a tenderness that was absolutely womanly. Gen. Dabney Maury says he kissed him upon both cheeks and then upon his lips when parting with him for the last time. It was one of his peculiar habits to embrace and kiss men whom he specially loved and trusted. He was not only affectionate and tender—"he of the lion heart and hammer hand" and body battle-scarred—but he was the most affectionate and the most tender of men.

WE CRAVE THE NOBLE BODY.

Let it be added, to complete the picture, and with devout gratitude to Almighty God, that he who, with such compelling will and such a mighty hand, controlled and led men, followed his Divine Master with the humility and the confiding trust of a little child; therefore be it

Resolved, 1, That in the life of Gen. Joseph Eggleston Johnston, Virginia recognizes, with paternal pride, the career of a great Christian soldier without fear and without reproach, and full of well-earned honors.

2, That, in his death, she mourns the loss of one of the most noble and the most loyal of all her heroic sons.

3, That, so far as such final disposition of his remains

can be harmonized with the wishes and plans of the General's family, the people of Richmond, and, we are confident, the people of Virginia as well, crave the noble body, scarred with ten honorable wounds, and ask that they be permitted to lay it reverently to rest here, in his native soil, at such place in or near the city of Richmond as may hereafter be determined upon.

4, That the foregoing minute and resolutions be communicated to the family of Gen. Johnston, accompanied by our reverent sympathies.

MAJOR STILES'S REMARKS.

Major Stiles, in speaking of the resolutions, said that Gen. Johnston was the grandest man he had ever known, in respect of personal friendly relations. He was, however, so essentially a soldier, that he was not in touch with the people, and was not esteemed as other men were.

The speaker believed that if he could communicate with the old hero, he would thank him for putting before the people the life of the soldier. Public sentiment, continued Major Stiles, does not do justice to the soldier. The whole force of modern society is given to the accumulation of wealth. The soldier never accumulates. It was contended that the time of the soldier had passed. This is not true. All civilization is born of the blood of the soldier, and founded on the bullet, and the sword. The Christian civilization is iron-bound, and will be until the millennium. The contrary idea was a false representation of the Christian religion. The speaker showed how Sir Philip Sidney, Havelock, Chinese Gordon, Jackson, Lee, and others were not anomalies, but the development of the soldier life, and

drew a striking picture of Gen. Johnston—the soldierly type.

INFINITE AND ABSOLUTE COURAGE.

He was, Major Stiles said, the embodiment of infinite and absolute courage. There was as much courage and nobility in his small frame as could have been packed in that of a man of six feet six inches. The life of a soldier was, said Major Stiles, service. He was cut off from everything that others enjoy. It was a priesthood of consecration. He was separate from the people, from their aims, and from their ambitions, standing way off on the frontier, protecting the State and the women and children.

DUTY.

As for duty, the soldier had put that word where it never was before, and he obeyed, because those above him had a right to command. There was, asserted the speaker, no more important lesson for the people to learn than that of obedience. The centurion had given the best analysis of obedience.

Major Stiles then attested to the responsibilities of the military life, and showed how Gen. Johnston measured up to the full standard of all that combined to constitute the ideal soldier.

NO POLITICIAN.

The speaker's description of what difficulties he and others encountered in trying to make a politician of Gen. Johnston was very amusing; and, in this connection, he told some anecdotes, at the expense of himself and

friends, which illustrated Gen. Johnston's straightforwardness, that provoked bursts of merriment.

Gen. Johnston, added Major Stiles, was one of the most charming conversationalists he had ever heard talk, and was the most affectionate and lovable man he had ever met. He had often kissed the speaker, and it was his habit, whenever he parted from a family, to kiss the younger members. Major Stiles's description of his last interview with Gen. Johnston was so pathetic as to draw tears from the eyes of all present.

AN ELOQUENT AND TENDER TRIBUTE.

Major Stiles spoke for half an hour, perhaps, and nothing short of a *verbatim* report of his remarks could convey anything like an adequate impression of his eloquence and tenderness in his reference to his old commander and friend.

At the conclusion of Major Stiles's remarks, the resolutions were unanimously adopted.

Capt. Louis Bosseiux spoke briefly regarding his old friend, after which the meeting adjourned.

CHAPTER XXIII.

REMINISCENCES OF GEN. JOSEPH E. JOHNSTON, BY A NORTHERN SOLDIER.

This story is credited to Gen. Joseph E. Johnston and to several officers who were musketry instructors in their younger days, and who held leading commands on different sides during our civil war. On getting into hot corners, when the enemy's balls were flying close around their heads, they would say: "Disgusting! Really, now, less accuracy than in the old buck and ball period. It is too bad! Too bad! No improvement at all. Won't they ever learn to gauge distances? A shameless waste of good ammunition, that's what it is. Confounded carelessness!"

With Grant, Gen. Sheridan was the least fidgety of men under fire; and as to Custer, he really seemed to like such abnormal conditions. It would be invidious to signal out any one on either side for coolness in action; nevertheless, the peculiar idiosyncracies of the late Confederate General Joseph E. Johnston were conspicuous. He was noted for absolute indifference to lead. "You can't see things, gentlemen, in their proper light," Gen. Johnston would say to his staff, "unless we get much closer—quite close, in fact," and close to the line of fire he would go. It looked as if he never remembered that he had been hit, or that there was any risk to be run.

It is said, that at the battle of Seven Pines, where he got his last wound, he remarked, after he had reeled in his saddle: "Quite extraordinary! It's nothing, gentlemen, I assure you; not worthy of comment. I think we ought to move up a little closer. If a surgeon is within call, and not too busy—at his convenience, perfect convenience—he might as well look me over." If some one on his staff had not just then caught him, the General would have fallen from his horse; and, even then, he made a little deprecatory gesture, as if to say, It is a mere trifle—of no possible consequence.

This anecdote is authentic, and shows how modest is true courage, and how it may have a ludicrous side to it. Some years after the war, at a family dinner, where there were present Gen. Joseph E. Johnston and a distinguished officer, in the regular service, who was bravery personified, the talk was about the Black Hawk war.

"I think," said Gen. Johnston, in his quiet way, "an Irish private soldier was the most amusingly brave man I ever heard about. It seems, or I have been told, that there were six men surrounded in a swamp by eighty odd Indians. The soldiers were like rats in a trap, up to their knees in a swamp, the mud of such tenacious ooze that they couldn't move. During the first five minutes three of the men were wounded. It was certain that in time some of the Indians would make their way in the rear of the soldiers, and shoot them in the back, because the men could not face about. There was this Irishman, and he said to the officer in charge:

'Excusin' the libertee, sor, but there's a bloody musquiter on me nose, and the baste won't get lose of me. Would your honor kindly brush it off, bekase my arm is kind of ripped up wid a ball, and if I move it, belike my muskit would fall in the mud and be unsarviceable, and she's furnished with the last ca'tidge in the sack?' Every one of those six men thought they had but a few minutes more to live, when, just then, if I remember rightly, there happened to be a rescue.'

"I have heard that story, Gen. Johnston," said the listening officer; "only you forget to mention one thing, and it was that you were the officer in charge of that party."

Then Gen. Johnston looked quite confused, blushed and said: "That may be, but I was frightened, sir. How do you know that I was not? I think I was in a perfect funk."

During the evening the lady, at whose house they were dining, was discussing the merits of kerosene lamps, mineral oils having been about that time brought into use in the South. Gen. Johnston's opinion was asked about them.

"I am the most timid man in the world," said the General, "and dreadfully afraid of a kerosene lamp. The other day a servant put one in my room. I was but half dressed, and I hurried out as fast as I could run. I knew it was going to burst. Then think of it! The very next night some kind of a patent kerosene lamp was sent me as a present, and the donor lit it, explaining to me the method of working it. Such was my

nervousness that I never knew he was talking to me. Later, after somebody had extinguished the lamp, I tried to reason out to myself what a poltroon I was. We get hardened in time; but, I assure you, nothing would ever induce me to light or extinguish a kerosene lamp. I really envy you, madam, as possessing heroic traits, when you tell me you feel no alarm when in the presence of a kerosene lamp. But I am, by nature, an arrant coward. An enemy, armed with kerosene lamps, would drive me off the field. I should be panic personified."

All this was said with such an air of conviction as to be highly amusing, when coming from the lips of as brave a man as ever lived. B. P.

APPENDIX A.

The following is the form of the parole, executed under the Convention of Durham:

SALISBURY, N. C., May 2, 1865.

In accordance with the terms of the military convention, entered into on the 26th day of April, 1865, between Gen. Jos. E. Johnston, commanding the Confederate Army, and Major-Gen. W. T. Sherman, commanding the United States Army, in North Carolina.

Bradley T. Johnson, Brig.-Gen. C. S. A., has given his solemn obligation not to take up arms against the Government of the United States until properly released from this obligation, and is permitted to return to his home, not to be disturbed by the United States authorities, so long as he observe this obligation, and obey the laws in force where he may reside.

FR. EWD. WOLCOTT,
Major and J. A., U. S. A., Special Commission.

BRADLEY T. JOHNSON,
Brig.-Gen. C. S. A., Commanding.

HEADQUARTERS
ARMIES OF THE UNITED STATES,
WASHINGTON, D. C., March 30, 1866.

HIS EXCELLENCY, A. JOHNSON,
President of the United States:

Sir—I understand from Bradley T. Johnson, late of the Southern Army, and who was included in the paroled officers, under the convention between Gen. W. T. Sherman and Gen. J. E. Johnston, has been arrested in the State of Maryland on the charge of treason, for acts committed at the battle of Gettysburg, Pa., in 1863. I have noticed the same thing from the newspapers.

There is nothing clearer in my mind, than that the terms of the paroles given by officers and soldiers who were arrayed against the authority of the General Government of the United States, prior to their surrender, exempts them from trial or punishment for acts of legal warfare, so long as they observe the conditions of their paroles.

Gen. Johnston was in Maryland by express authority from these headquarters. I would now ask, as a point of faith on the part of the government, that proper steps be taken to relieve B. T. Johnson from the obligations of the bonds which he has been forced to give in the State of Maryland.

I have the honor to be, very respectfully,
Your obedient servant,
U. S. GRANT, *Lt. General.*

The above was written by Gen. Grant, and delivered to Gen. Joseph E. Johnston for approval, on the complaint by the latter of the arrest in Baltimore of one of his subordinates.

The above copy was taken and the original delivered by Hon. D. W. Voorhees, of Indiana, to Hon. Reverdy Johnson, of Maryland, who personally delivered it to Andrew Johnson. The statements in it were considered too broad and embarrassing to the Administration, which then contemplated embarking on criminal prosecutions, and the original letter was withdrawn from the files of the Executive Department and another substituted, merely asking for a *nolle prosequi*, which was granted.

But Grant's official statement, that the faith of the government was pledged to protect against all prosecution, for acts of legal war, all paroled officers and soldiers, was, at that time, considered of great weight and moment.

And the criminal prosecution was stayed. He interposed in the same way for the protection of Col. John S. Mosby, and during the whole of that trying time his assistance was never invoked by any one who had the right to it, without being liberally and without delay, extended.

If the first convention at Durham's station was intended by Sherman to be executed in good faith, it was a wise, broad measure; if it was intended merely as a device to deceive Johnston, and did deceive him, the disgrace and dishonor does not rest on Johnston's brow.

APPENDIX B.

CONSTITUTION OF THE UNITED STATES OF AMERICA.*

WE the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the

CONSTITUTION OF THE CONFEDERATE STATES OF AMERICA.

WE, the People of the *Confederate* States, *each State acting in its sovereign and independent character, in order to form a permanent Federal Government*, establish justice, insure domestic tranquility, and secure the blessings of liberty to ourselves and our posterity—*invoking the favor and guidance of Almighty God*—do ordain and establish this Constitution for the *Confederate* States of America.

ARTICLE I.

SECTION 1. All legislative powers herein *delegated* shall be vested in a Congress of the *Confe*derate States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall *be citizens of the Confederate States, and* have the

* This is an exact copy of the original in punctuation, spelling, capitals, etc.

most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers,* which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a term of Years, and excluding Indians not taxed, three-fifths of all other Persons.† The actual Enumeration shall be made within three Years after the first meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumera tion shall be made, the State of New Hampshire shall be entitled

qualifications requisite for electors of the most numerous branch of the State Legislature; *but no person of foreign birth, not a citizen of the Confederate States, shall be allowed to vote for any officer, civil or political, State or Federal.*

No person shall be a Representative who shall not have attained the age of twenty-five years, and *be a citizen of the Confederate* States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several States, which may be included within this *Confederacy*, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all *slaves*. The actual enumeration shall be made within three years after the first meeting of the Congress of the *Confederate* States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every *fifty* thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of *South Carolina* shall be entitled to choose *six*, *the State*

* Under the census of 1860 one representative is allowed for every 127,381 persons.

† "Other persons" refers to slaves. See Amendments, Art. XIV, Sections 1 and 2.

to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other officers;* and shall have the sole Power of Impeachment.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the

of Georgia ten, the State of Alabama nine, the State of Florida two, the State of Mississippi seven, the State of Louisiana six, and the State of Texas six.

When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment, *except that any judicial or other Federal officer, resident and acting solely within the limits of any State, may be impeached by a vote of two thirds of both branches of the Legislature thereof.*

SECTION 3. The Senate of the *Confederate* States shall be composed of two Senators from each State, chosen for six years by the Legislature thereof, *at the regular session next immediately preceding the commencement of the term of service;* and each Senator shall have one vote.

Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class be vacated at the expiration of the second year; of the second

* The principal of these are the clerk, sergeant-at-arms, door-keeper, and postmaster,

second Class at the Expiration of the fourth Year, and of the third class at the Expiration of the sixth Year, so that one-third may be chosen every second year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two-thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further

class at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained the age of thirty years, and *be a citizen of the Confederate* States; and who shall not, when elected, be an inhabitant of *the* State for which he shall be chosen.

The Vice-President of the *Confederate* States shall be President of the Senate, but shall have no vote unless they be equally divided.

The Senate shall choose their other officers; and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President of the *Confederate* States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the *Confederate* States is tried, the Chief-Justice shall preside; and no person shall be convicted without the concurrence of two thirds of the members present.

Judgment in cases of impeachment shall not extend further

than to removal from Office, and Disqualification to hold and enjoy any Office of Honour, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof: but the Congress may at any time by Law make or alter such Regulations, except as to the places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two-thirds, expel a Member.

than to removal from office, and diqualification to hold and enjoy any office of honor, trust, or profit, under the *Confederate* States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law.

SECTION 4. The times, place, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof, *subject to the provisions of this Constitution;* but the Congress may, at any time, by law, make or alter such regulations, except as to the *times* and places of choosing Senators.

The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.

SECTION 5. Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds of the whole number, expel a member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one-fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same, and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House, on any question, shall, at the desire of one fifth of those present, be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the *Confederate* States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the *Confederate* States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the *Confederate* States shall be a member of either House during his continu-

SECTION 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two-thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a Law. But in all such Cases the Votes of Both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their Adjournment prevent its return, in which case it shall not be a law.

ance in office. *But Congress may, by law, grant to the principal officer in each of the executive departments a seat upon the floor of either House, with the privilege of discussing any measures appertaining to his department.*

SECTION 7. All bills for raising *the* revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

Every bill which shall have passed *both Houses*, shall, before it becomes a law, be presented to the President of the *Confederate* States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and, if approved by two thirds of that House, it shall become a law. But, in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House, respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like

Same shall be a law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote, to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8. The Congress shall have Power

To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. *The President may approve any appropriation and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved; and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated; and the same proceedings shall then be had as in case of other bills disapproved by the President.*

Every order, resolution, or vote, to which the concurrence of *both Houses* may be necessary (except on a question of adjournment), shall be presented to the President of the *Confederate* States; and, before the same shall take effect, shall be approved by him; or, being disapproved, shall be repassed by two thirds of *both Houses*, according to the rules and limitations prescribed in case of a bill.

SECTION 8. the Congress shall have power—

To lay and collect taxes, duties, imposts, and excises, *for revenue necessary* to pay the debts, provide for the common defense, *and carry on the Government of the Confederate* States; *but no bounties shall be granted from the Treasury; nor shall any duties or taxes on importations from foreign nations*

	be laid to promote or foster any branch of industry; and all duties, imposts, and excises shall be uniform throughout the Confederate States:
To borrow Money on the credit of the United States;	To borrow money on the credit of the *Confedeate* States:
To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;	To regulate commerce with foreign nations, and among the several States, and with the Indian tribes; *but neither this, nor any other clause contained in the Constitution, shall ever be construed to delegate the power to Congress to appropriate money for any internal improvement intended to facilitate commerce; except for the purpose of furnishing lights, beacons, and buoys, and other aid to navigation upon the coasts, and the improvement of harbors and the removing of obstructions in river navigation, in all which cases, such duties shall be laid on the navigation facilitated thereby, as may be necessary to pay the costs and expenses thereof:*
To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;	To establish uniform *laws* of naturalization, and uniform laws on the subject of bankruptcies, throughout the *Confederate* States; *but no law of Congress shall discharge any debt contracted before the passage of the same:*
To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;	To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:
To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;	To provide for the punishment of counterfeiting the securities and current coin of the *Confederate* States:

To establish Post Offices and post Roads;

To promote the progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the

To establish post-offices and post *routes; but the expenses of the Post-Office Department, after the first day of March, in the year of our Lord eighteen hundred and sixty-three, shall be paid out of its own revenue:*

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries:

To constitute tribunals inferior to the Supreme Court:

To define and punish piracies and felonies committed on the high-seas, and offenses against the law of nations:

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and on water:

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years:

To provide and maintain a navy:

To make rules for the government and regulation of the land and naval forces:

To provide for calling forth the militia to execute the laws of the *Confederate* States, suppress insurrections, and repel invasions:

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as the *Confederate* States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to

Authority of training the Militia according to the Discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or Duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of

the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of *one or more* States, and the acceptance of Congress, become the seat of the Government of the *Confederate* States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the *Confederate* States, or in any department or officer thereof.

SECTION 9. The importation of *negroes of the African race, from any foreign country other than the slave-holding States or Territories of the United States of America, is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.*

Congress shall also have power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to, this Confederacy.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in case of

Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

rebellion or invasion, the public safety may require it.

No bill of attainder, *ex post facto* law, *or law denying or impairing the right of property in negro slaves shall be passed.*

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State *except by a vote of two thirds of both Houses.*

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Congress shall appropriate no money from the Treasury, except by a vote of two thirds of both Houses, taken by yeas and nays, unless it be asked and estimated for by some one of the heads of departments, and submitted to Congress by the President; or for the purpose of paying its own expenses and contingencies; or for the payment of claims against the Confederate States, the justice of which shall have been judicially declared by a tribunal for the investigation

of claims against the Government, which it is hereby made the duty of Congress to establish.

All bills appropriating money shall specify, in Federal currency, the exact amount of each appropriation, and the purposes for which it is made; and Congress shall grant no extra compensation to any public contractor, officer, agent, or servant, after such contract shall have been made or such serice rendered.

No Title of Nobility shall be granted by the United States; And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

No title of nobility shall be granted by the *Confederate* States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the Government for a redress of grievances.

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law

The right of the people to be secure in their persons, houses, papers, and effects, against un-

reasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject, for the same offense, to be twice put in jeopardy of life or limb; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

In suits at common law, where the value in controversy shall

exceed twenty dollars, the right of trial by jury shall be preserved; and no fact *so* tried by a jury shall be otherwise re-examined in any court of the *Confederacy*, than according to the rules of the common law.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

Every law, or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

SECTION 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

SECTION 10. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

No State shall, without the consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the *Confederate* States; and all such laws shall be subject to the revision and control of Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace,

No State shall, without the consent of Congress, lay any duty *on* tonnage, *except on seagoing vessels for the improve-*

enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of Delay.

ARTICLE II.

SECTION 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

ment of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foreign nations. And any surplus revenue thus derived shall, after making such improvement, be paid into the common Treasury; nor shall any State keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delay. *But when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.*

ARTICLE II.

SECTION 1. The Executive power shall be vested in a President of the *Confederate* States of America. *He and the Vice-President shall hold their offices for* the term of *six* years; *but the President shall not be re-eligible. The President and the Vice-President shall* be elected as follows:

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the *Confederate* States, shall be appointed an elector.

*The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a Quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after

The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of the Government of the *Confederate* States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such a majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall

*Superseded by the twelfth amendment.

the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice-President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of

consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President. A quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the *Confederate* States.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the *Confederate* States.

No person except a natural born citizen of the *Confederate* States, or a citizen thereof at the time of the adoption of this Constitution, *or a citizen thereof*

President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:

"I do solemnly swear (or "affirm) that I will faithfully exe- "cute the Office of President of "the United States, and will to

born in the United States prior to the 20th of December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the *limits of the Confederate* States, *as they may exist at the time of his election.*

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed or a President shall be elected.

The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected · and he shall not receive within that period any other emolument from the *Confederate* States, or any of them.

Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the *Confederate* States *of Amer-*

"the best of my Ability, pre- "serve, protect and defend the "Constitution of the United "States."

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

ica, and will to the best of my ability, preserve, protect, and defend the Constitution *thereof*."

SECTION 2. The President shall be Commander-in-Chief of the Army any Navy of the *Confederate* States, and of the militia of the several States, when called into the actual service of the *Confederate* States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the *Confederacy*, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court and all other officers of the *Confederate* States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The principal officer in each of the executive departments, and all persons connected with the diplomatic service, may be re-

moved from office at the pleasure of the President. All other civil officers of the executive department may be removed at any time by the President, or other appointing power, when their services are unnecessary, or for dishonesty, incapacity, inefficiency, misconduct, or neglect of duty; and, when so removed, the removal shall be reported to the Senate, together with the reasons therefor.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session. *But no person rejected by the Senate shall be reappointed to the same office during their ensuing recess.*

SECTION 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the officers of the United States.

SECTION 3. *The President* shall from time to time give to the Congress information of the state of the *Confederacy*, and recommend to their consideration such measures as he shall judge necessary and expedient; he may on extraordinary occasions convene both Houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the *Confederate* States.

SECTION 4. The President, Vice President and all civil Offi-

SECTION 4. The President, Vice-President, and all civil offi-

cers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION 1. The Judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated times, receive for their Services, a Compensation which shall not be diminished during their Continuance in Office.

SECTION 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party; to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

cers of the Confederate States, shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION 1. The judicial power of the *Confederate* States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The Judges, both of the Supreme and inferior Courts, shall hold their officers during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECTION 2. The judicial power shall extend to all cases arising under this Constitution, the laws of the *Confederate* States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the *Confederate* States shall be a party; to controversies between two or more States; between a State and citizens of another State, *where the State is plaintiff;* between citizens claiming lands under grants of different States, and between a State or the citizens thereof, and foreign states, citizens, or subjects. *But no State shall be sued by a citizen or subject of any foreign state.*

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3. Treason against the *Confederate* States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every

of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof

SECTION 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be done.

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two

other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECTION 2. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States, *and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property; and the right of property in said slaves shall not be thereby impaired.*

A person charged in any State with treason, felony, or other crime *against the laws of such State*, who shall flee from justice, and be found in another State, shall on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

No slave or other person held to service or labor *in any State or Territory of the Confederate States*, under the laws thereof, escaping *or lawfully carried* into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party *to whom such slave belongs, or* to whom such service or labor may be due.

SECTION 3. *Other States may be admitted into this Confederacy by a vote of two thirds of the whole House of Representatives and two thirds of the Senate, the Senate voting by States;* but no new State shall be formed or

or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form

erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations *concerning* the *property of the Confederate* States, *including the lands thereof.*

The Confederate States may acquire new territory; and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States; and may permit them, at such times and in such manner as it may by law provide, to form States to be admitted into the Confederacy. In all such territory, the institution of negro slavery, as it now exists in the Confederate States, shall be recognized and protected by Congress and by the territorial government; and the inhabitants of the several Confederate States and Territories shall have the right to take to such Territory any slaves lawfully held by them in any of the States or Territories of the Confederate States.

The *Confederate* States shall guarantee to every State *that now is or hereafter may become,*

of Government, and shall protect each of them against Invasion, and on Application of the Legislature, or of he Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress: Provided that no Amendment which may be made prior to the Year one thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

a member of this Confederacy, a republican form of government; and shall protect each of them against invasion; and on application of the Legislature (or of the Executive when the Legislature *is not in session*), against domestic violence.

ARTICLE V.

SECTION 1. *Upon the demand of any three States, legally assembled in their several conventions the Congress shall summon a Convention of all the States, to take into consideration such amendments to the Constitution as the said States shall concur in suggesting at the time when the said demand is made; and should any of the proposed amendments to the Constitution be agreed on by the said Convention—voting by States—and the same be ratified by the Legislatures of two thirds of the several States, or by conventions in two thirds thereof*—as the one or the other mode of ratification may be proposed by the *general Convention —they shall thenceforward form a part of this Constitution. But* no State shall, without its consent, be deprived of its equal *representation* in the Senate.

ARTICLE VI.

The Government established by this Constitution is the successor of the Provisional Government of the Confederate States of America, and all the laws passed by the latter shall continue in

force until the same shall be repealed or modified; and all the officers appointed by the same shall remain in office until their successors are appointed and qualified, or the offices abolished.

All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the *Confederate* States under this Constitution as under the *Provisional Government.*

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

This Constitution, and the laws of the *Confederate* States made in pursuance thereof, and all treaties made or which shall be made under the authority of the *Confederate* States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the *Confederate* States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the *Confederate* States.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people *of the several States.*

The powers not delegated to the *Confederate* States by the

Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people *thereof*.

ARTICLE VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

ARTICLE VII.

The ratification of the Conventions of *five* States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

When five States shall have ratified this Constitution, in the manner before specified, the Congress under the Provisional Constitution shall prescribe the time for holding the election of President and Vice-President, and for the meeting of the electoral college, and for counting the votes, and inaugurating the President. They shall also prescribe the time for holding the first election of members of Congress under this Constitution, and the time for assembling the same. Until the assembling of such Congress, the Congress under the Provisional Constitution shall continue to exercise the legislative powers granted them; not extending beyond the time limited by the Constitution of the Provisional Government.

Articles in Addition to, and Amendment of, the Constitution of the United States of America. Proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth article of the original Constitution.

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people

peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE III.

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have Compulsory process for obtaining Witnesses in his favour, and to have the Assistance of Counsel for his defence.

ARTICLE VII.

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any

Court of the United States, than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE XII.*

The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

*This article is substituted for Clause 3, Sec. I., Art. II, page 662, and annuls it. It was declared adopted in 1804.

LIFE AND REMINISCENCES

OF

JEFFERSON DAVIS.

BY

DISTINGUISHED MEN OF HIS TIME.

INTRODUCTORY BY

HON. JOHN W. DANIEL,

United States Senator from Virginia.

ILLUSTRATED.

BALTIMORE:
R. H. WOODWARD & COMPANY.
1890.

Copyright, 1890, by
R. H. WOODWARD & COMPANY.

TO THE

PEOPLE OF THE SOUTH

TO YOU

IS DEDICATED THIS MEMORIAL VOLUME

OF YOUR HONORED AND MUCH LOVED CHIEFTAIN

JEFFERSON DAVIS,

THE STATESMAN, SOLDIER, AND CHRISTIAN, IN WHOM

WAS EMBODIED

AS IN NO OTHER MAN

THE POLITICAL VIEWS AND SENTIMENTS,

WHICH YOU

SO ABLY MAINTAINED IN THAT MEMORABLE CONFLICT OF

1861–65.

CONTENTS.

LIFE.

	PAGE
Birth-place of Jefferson Davis	3
His Early Life	3
Training at Academy	3
Student at Transylvania Academy	4
Cadet at West Point	4
Second Lieutenant in the Regular Army	4
Service on the Northwestern Frontier	4
Resigned His Commission	4
Presidential Elector in 1845	5
Elected to U. S. House of Representatives	5
Political Career	6
War With Mexico	6
Colonel of the "Mississippi Rifles"	7
Battle of Monterey	8
Battle of Buena Vista	11
Colonel Davis Wounded	13
Appointed U. S. Senator	14
His Views Concerning the Union in 1850	15
The Southern Triumvirate	19
Speech on the Occasion of his Retiring from the U. S. Senate, Jan. 21, 1861	22
Secretary of War under Franklin Pierce	31
Elected President of the Confederate States	34
His Inaugural Address	34
Speech at Richmond	37
Historic Rooms	39

PAGE

A Lovable Man 41
Attempted Assassination 42
The Evacuation 42
Supplementing an Inadequate Salary 43
Slow to Forget a Wrong 44
His Vigorous Personality 44
His Last Visit to Richmond 45
Andersonville 46
Surrender of General Lee 50
Assassination of President Lincoln 50
Departure from Richmond 50
Incarcerated in Fortress Monroe 51
Visits to Canada and England 52
Settlement at Beauvoir 53
A Day at Beauvoir 54
The Buildings at Beauvoir 55
The Venerable Ex-President 56
The Most Interesting Talker 56
Gradual Emancipation of the Negro 58
Mrs. Jefferson Davis 59
Visit to his Birth-place 61
Reception of Liberty Bell 64
His Last Illness 65
The Death Chamber 65
Mrs. Davis' Ministrations 66
Clinging to Hope 66
The Patient Despondent 67
The Fatal Attack 68
Breathed His Life Away 69
A Crushing Blow 70
Cause of Death 71
The Event Announced 71
An Awed Silence 72
Brought Cut Flowers 74
Mr. Davis' Body Servant 75
More Than He Could Bear 76
Prayers for the Deceased 77

PAGE

Touched the Features of the Dead 77
The Casket 78
Arranging for the Funeral 78
The Funeral 82
Scene at the City Hall 82
The Pall Bearers 83
Appearance of the Remains 84
The Services 85
Bishop Galleher's Address 85
Reverential Silence 88
The Procession 88
Tolling Bells 89
At the Cemetery 90
The Final Ceremonies 92
In the Tomb 95
A Question in Conclusion 99

REMINISCENCES AND ADDRESSES.

A Tribute from a Classmate 107
By General George W. Jones, Ex-United States Senator.

An Able Man and a Leader 129
By James Campbell, Ex-Postmaster-General of the United States.

Correction and Misrepresentation 141
By J. L. M. Curry, LL.D.

Opinions and Impressions 152
By Hon. A. H. Garland, Ex-Attorney-General of the United States.

Memorial Address 158
By Hon. J. Randolph Tucker.

Jefferson Davis 168
By Hon. G. G. Vest, U. S. Senator from Missouri.

PAGE

MEMORIAL ADDRESS 175
By Rev. Moses Hoge, D.D.

EX-PRESIDENT DAVIS IN TEXAS IN 1875 188
By Ex-Governor F. R. Lubbock.

REMINISCENCE 194
By General A. R. Lawton, Ex-Minister to Russia and Quartermaster-General in the Confederate Army.

JEFFERSON DAVIS AS I KNEW HIM 204
By Hon. Reuben Davis.

RECOLLECTIONS AND TRIBUTE 214
By Hon. George Davis, Member of Mr. Davis' Cabinet.

"MY DEAD HERO" 224
By Rev. Charles Minnigerode, D.D., Mr. Davis' Pastor during the War.

AN AMERICAN TO BE PROUD OF 242
By Colonel Charles Marshall, Member of General R. E. Lee's Staff.

ADDRESS AND TRIBUTE 247
By General Fitzhugh Lee, Governor of Virginia.

REMINISCENCES 259
By United States Senator Reagan, Member of Mr. Davis' Cabinet.

ADDRESS 269
By Governor J. B. Gordon, of Georgia.

IMPRISONMENT OF JEFFERSON DAVIS 274
By Hon. S. Teakle Wallis, Member of Baltimore Bar.

INTRODUCTORY.

JEFFERSON DAVIS has been more misrepresented, and is to-day more misunderstood by many than any character that figured in the Civil War of 1861 to 1864.

That denunciation should be directed upon him by his enemies during the war was natural,—for he was the head and front of the Southern Confederacy, and a blow at him of any kind was a blow at the cause he represented. And thick and bitter as were the invectives that fell upon him during the conflict, they were neither thicker nor bitterer than those which fell upon Abraham Lincoln from his enemies. The war over, a change of feeling instantly began between the combatants. General Grant, speaking of the surrender at Appomattox, says, that the soldiers of the Union and of the Confederate Armies met like friends who had been long parted while fighting under the same flag. And certain it is that between the actual fighters of the war, bitterness rapidly declined; and toward the military leaders of both sides who had distinguished themselves by soldierly virtues, there grew up a feeling of admiration and kinness on the part of their late antagonists.

Toward Abraham Lincoln sentiment also changed. It was soon felt by the Southern people that considering the circumstances in which he was placed he had shown as great humanity as would have been shown by any other in his stead; and while this conviction softened the asperities of the War, the great abilities he had exhibited created high respect. There are few, if any, in the South

who do not believe that the crime which closed his life was a deep and permanent misfortune to the country, and especially to the South.

Toward Jefferson Davis, however, the North very slowly relented. Lee and Jackson and other Confederate chieftains won their admiration. Divines, orators, editors and statesmen frequently spoke of them and their virtues in terms of highest praise; and it was not long before Northern audiences would applaud reference to their characters or their exploits with ready and generous enthusiasm.

Jefferson Davis seemed to stand apart in Northern estimate from his companions; and while the healing work of time went on, it did not seem to cure the harshness of sentiment toward him.

I think this was due to several causes:

1. He was regarded as responsible for the War, and as its incarnation.

2. The assassination of Lincoln directed upon him, as the opposing leader, a retaliatory spirit.

3. It was taught and believed that he was responsible for the suffering of Northern soldiers in Southern prisons.

4. He was proud and unbending in his disposition; and declined to apply for pardon.

5. He dedicated the remainder of his life to the vindication of the cause of which he was the head.

But while these circumstances kept alive beyond their time a vindictive feeling toward Jefferson Davis, it was noticeable that it began to subside before he died. When he was laid to rest many noble tributes to his manly virtues flowed from Northern lips and pens; and it is safe to say that a new tide of feeling has set in.

I believe it will continue until all America will realize that Jefferson Davis was one of the purest and bravest of

the public men which our country has produced ;—that he was an honest, able and clear thinker, and a true seeker for the good of humanity.

He was the incarnation of the Southern cause. His abilities made him so. But he was no more responsible for the War than thousands and tens of thousands on both sides. He loved peace and he loved the Union. He grieved to see it torn asunder ; and he clung to it as long as accommodation was possible. The people in their move toward secession were ahead of their leaders. They instinctively divined the irrepressible conflict and like a crowd in a street they pushed the foremost forward.

When Lincoln died by a foul blow, the North was frenzied. Many believed the assassin was prompted by Confederate connivance, and reward was offered for Jefferson Davis' capture as an accessory to the crime. This is all fully disproved now as absurdly false ; but the fires of resentment scathed Jefferson Davis while yet passion was wild—and unreasoning.

It is clearly demonstrated now that, so far from sharing any responsibility for the sufferings of prisoners, he did his best to avert and alleviate them. He tried to get exchanges, —he sent a delegation of the prisoners to Washington to represent their own situation ;—he sent Alexander H. Stephens on a special mission for the same purpose ;—he proposed that each side send surgeons, money and medicines to their men in captivity ;—and he finally gave up Federal prisoners—sick and well,—without exchange, rather than have them suffer in Confederate hands.

There were sixty thousand more Federal prisoners in Southern prisons, than there were Confederate prisoners in Northern prisons ;—and yet, four thousand more Confederates died in prison. It is easier to protect from cold than

from heat; and the North was ten-fold more able to provide for captives than the South. There is no argument possible that would convict Jefferson Davis of cruelty to prisoners, that would not more deeply convict Abraham Lincoln. When men get reasonable enough to look on both sides, and do justice, they will regret the deep wrong done to Jefferson Davis in attempts to criminate him. His name is as sure of its vindication as time is to roll by.

The proud and self-poised demeanor of Jefferson Davis, and his declination to ask pardon, angered some. General Lee had applied for pardon and been refused it. Had Jefferson Davis applied, it would have only subjected him to humiliation. In not doing so, he stood for a principle. The Federal Constitution forbade Congress to enact an "*ex post facto*" law; that is, a law fixing punishment after the offence. Never tried for treason, he was yet punished by the *ipse dixit* of partisan legislation. The Government and the Constitution were revolutionized in order to reach him. A great and fundamental doctrine of civil liberty was overturned. All this will be fully appreciated by the masses in time, and many who have derided Jefferson Davis will applaud the integrity, the courage, and the unselfish devotion with which he adhered to his convictions.

The tenacious affection for his people, and the noble resolution to defend their fame, which characterized the declining years of Jefferson Davis, disclosed a character of rare beauty and grandeur. He had no ambition for himself. He knew his race was run, and he did not wish to prolong it. No honor did he crave at the hands of any—not even that of re-entering the Senate from Mississippi, which, so far as her people were concerned, he could have done. He thirsted for higher things than the transient glories of power and station. He laid the world aside without a sigh

for the parting. The honor of his people, and his cause, and himself:—this was all that the world could give which he desired. And this he has left upon a sure foundation.

Intense as have been the passions of the past, they will subside. Violent as have been the struggles of great interests, their wounds will be healed. Terrible as are the memories of strife, truth and justice will soften their harsh lines. The character of Jefferson Davis will grow in the general estimate. Scholars will ponder it, and will bring to the light the facts which have been neglected or ignored; and statesmen who have been under the spur of interest to paint him darkly, will feel that impulse to do justice which springs up from a sense of injustice done.

A ripe scholar, a vigorous writer, a splendid orator, a brave soldier, a true gentleman, an accomplished statesman, a sturdy champion, a proud, pure patriot, a lover of liberty, a hero: this is the Jefferson Davis that history will cherish. And while we can scarce quite say with the editor of the *New York Sun*, that "he outlived enmity and personal detraction," we can endorse the liberality and truth of his opinion that, "he lived long enough to see the political atmosphere purged of prejudice and rancor, and to forecast in the candid attitude of Northern contemporaries the sober and unbiassed judgment of posterity."

I hope this book will aid in the better understanding of Jefferson Davis, and in the further amelioration of the feelings engendered by an apparently unavoidable and unhappy strife. I look upon those men who attempt to instruct the rising generation in hatred and animosity, as the worst enemies of their country and of the human race. There is a chivalry of peace higher than the chivalry of war. The people who are to live together must live in mutual self-respect or in mutual unhappiness. We cannot lower the

caste of a section without lowering the caste of the country.

If the people of America would devote the time given to detractions to the encouragement of each other, which flows from the prompt recognition of virtues and their just praise, our country would lack in nothing for the prosperity and welfare of its people. If that prosperity and welfare are arrested or impeded, it will be by nothing more than through the agency of bigotry and partisanry, who refuse to see good in aught that comes in conflict with immediate interests.

Generous thought and generous speech are as essential to progress as a sound currency, or a sound system of taxation. No country is better fitted to produce them than our own; and in them it will find heralds of the highest destiny.

JOHN W. DANIEL.

LIFE OF JEFFERSON DAVIS.

JEFFERSON DAVIS was by birth a Kentuckian. He was born on the 3d day of June, 1808, in Christian County, but in a part of it that afterwards became Todd County. About his birthplace has grown up the village of Fairview, and on the exact spot now stands the Fairview Baptist Church, which received the ground by gift from the distinguished man that there began his being. His father was Samuel Davis, a native of Georgia, who removed from that State to Kentucky not many years after the War of the Revolution, in which he had rendered gallant service as a captain of infantry. When Jefferson was less than ten years old, his father left Kentucky and settled in Mississippi, then a territory. Thus early in the history of Mississippi, and in the life of Davis, was formed a relation that continued through many years, and became to both alike a matter of highest pride. After preparatory training at a neighboring academy, young Davis

returned to his native State for the purpose of studying in Transylvania University. He remained in this institution until 1824, when he was appointed by President Monroe to a cadetship at West Point. Here he had R. E. Lee for a class-mate. The two were destined for another companionship of which neither had, at this time, the faintest dream. Would we see Jefferson Davis as a cadet? He is thus described: "He was distinguished in the corps for his manly bearing, his high-toned and lofty character. His figure was very soldierlike and rather robust; his step springy, resembling the tread of an Indian brave on the war-path." He was graduated at the military academy in 1828, when he was just twenty years of age. His graduation gave him a second-lieutenancy in the regular army; and, being assigned to the infantry, he was sent to perform service on the northwestern frontier. He won distinction, and was promoted to the rank of first lieutenant of dragoons. It is said that the savages with whom Lieutenant Davis had to deal were awed by his intrepidity and won by his kindness. After a military service of seven years on the frontier, he resigned his commission.

His resignation from the army brought him back to Mississippi in 1835. He soon after married a daughter of General (then Colonel) Zachary Taylor, and retiring to a farm in Warren County, he gave

himself to cotton planting and to studies in favorite lines of investigation. This seclusion, continuing through eight years, he was the more disposed to prolong by reason of the fact that almost at the very commencement of it death deprived him of his wife. Mr. Davis' political career may be said to have begun in 1843. During that year he participated in local politics, the next year he was chosen a presidential elector, and in 1845 he was elected to the United States House of Representatives. When he took his seat in Congress he found great men there. To say nothing of the Senate, he met in the House Stephen A. Douglas, of Illinois; R. M. T. Hunter, of Virginia; Andrew Johnson, of Tennessee; and John Quincy Adams, of Massachusetts. But contact with such men placed him at no disadvantage. He was a prominent participant in the discussions that arose during the session, and always commanded the respectful attention of his associates. His sentiments were eminently patriotic and national. Speaking on the Oregon question, he said: "It is as the representative of a high-spirited and patriotic people that I am called on to resist this war clamor. My constituents need no such excitements to prepare their hearts for all that patriotism demands. Whenever the honor of the country demands redress; whenever its territory is invaded . . . Mississippi will come. And whether the question be one of

Northern or Southern, Eastern or Western aggression, we will not stop to count the cost, but act as becomes the descendants of those who, in the War of the Revolution, engaged in unequal strife to aid our brethren of the North in redressing their injuries."

Mr. John Savage, in "On Living Representative Men," says: "John Quincy Adams had a habit of always observing new members. He would sit near them on the occasion of their Congressional debut, closely eyeing and attentively listening if the speech pleased, but quickly departing if it did not. When Davis arose in the House the ex-President took a seat close by. Davis proceeded, and Adams did not move. The one continued speaking and the other listening; and those who knew Mr. Adams's habit were fully aware that the new member had deeply impressed him. At the close of the speech the 'Old Man Eloquent' crossed over to some friends and said, 'That young man is no ordinary man. He will make his mark yet.'"

The war with Mexico was now going on, and General Taylor, with his valiant little army, was already on the Rio Grande. Mississippi was aroused, and, as one result, a volunteer regiment was raised in and about Vicksburg.

These soldiers enlisted as the First Regiment of Mississippi Volunteers, and afterwards became fa-

mous as the "Mississippi Rifles." At the organization, June, 1846, Mr. Davis was elected colonel. When the information reached him, he promptly resigned his seat in Congress, and hastened to join the regiment, which he overtook in New Orleans. From this time Jefferson Davis may be considered as fairly started on that career which has sent his name over the civilized world.

COLONEL DAVIS,

taking command of his regiment, moved rapidly towards the scene of war, and reported to General Taylor at Camargo, just across the Rio Grande. The battles of Palo Alto and Resaca de la Palma had already been fought, and the army was now about to march against Monterey. After the arrival of the Mississippians several weeks were spent in preparations; but towards the last of August the advance movement began. On the 19th of September, 1846, General Taylor appeared before the city, on the 21st the attack commenced, and on the 24th the garrison of ten thousand Mexicans surrendered. As this result was accomplished by an attacking force of six thousand five hundred men, it can be at once assumed that the battle of Monterey brought out some of the best qualities of the American soldier. Among all those that showed skill and gallantry, Colonel Davis stands conspicuous. His own ac-

count, taken from *Belford's Magazine*, of the operations, claims less for himself than others would accord to him; nevertheless, his own statement is given:

"In an attack on Monterey General Taylor divided his force, sending one part of it by a circuitous road to attack the city from the west, while he decided to lead in person the attack on the east. The Mississippi Regiment advanced to the relief of a force which had attacked Fort Lenaria, but had been repulsed before the Mississippians arrived. They carried the redoubt, and the fort which was in the rear of it surrendered. The next day our force on the west side carried successfully the height on which stood the Bishop's Palace, which commanded the city.

"On the third day the Mississippians advanced from the fort which they held, through lanes and gardens, skirmishing and driving the enemy before them until they reached a two-story house at the corner of the Grand Plaza. Here they were joined by a regiment of Texans, and from the windows of this house they opened fire on the artillery and such other troops as were in view. But, to get a better position for firing on the principal building of the Grand Plaza, it was necessary to cross the street, which was swept by canister and grape, rattling on the pavement like hail; and as the street was very

narrow it was determined to construct a flying barricade. Some long timbers were found, and, with pack saddles and boxes, which served the purpose, a barricade was formed.

"Here occurred an incident to which I have since frequently referred with pride. In breaking open a quartermaster's store-house to get supplies for this barricade, the men found bundles of the much-prized Mexican blankets, and also of very serviceable shoes and pack-saddles. The pack-saddles were freely taken as good material for the proposed barricade; and one of my men, as his shoes were broken and stones had hurt his feet, asked my permission to take a pair from one of the boxes. This, of course, was freely accorded; but not one of the very valuable and much-prized Mexican blankets was taken.

"About the time that the flying barricade was completed, arrangements were made by the Texans and Mississippians to occupy houses on both sides of the street for the purpose of more effective fire into the Grand Plaza. It having been deemed necessary to increase our force, the Mississippi sergeant-major was sent back for some companies of the First Mississippi, which had remained behind. He returned with the statement that the enemy was behind us, that all our troops had been withdrawn, and that orders had been three times sent to me to return. Governor Henderson, of Texas, had accompanied the

Texan troops, and on submitting to him the question what we should do under the message, he realized—as was very plain—that it was safer to remain where we were than—our supports having been withdrawn—to return across streets where we were liable to be fired on by artillery, and across open grounds, where cavalry might be expected to attack us. But, he added, he supposed the orders came from the general-in-chief, and we were bound to obey them. So we made dispositions to retire quietly; but, in passing the first square we found that our movement had been anticipated, and that a battery of artillery was posted to command the street. The arrangement made by me was that I should go first; if only one gun was fired at me, then another man should follow; and so on, another and another, until a volley should be fired, and then all of them should rush rapidly across before the guns could be reloaded. In this manner the men got across with little loss. We then made our way to the suburb, where we found that an officer of infantry, with two companies and a section of artillery, had been posted to wait for us, and, in case of emergency, to aid our retreat.

"Early next morning General Ampudia, commanding the Mexican force, sent in a flag and asked for a conference with a view to capitulation. General Taylor acceded to the proposition, and appointed

General Worth, Governor Henderson and myself commissioners to arrange the terms of capitulation. General Taylor received the city of Monterey, with supplies, much needed by his army, and shelter for the wounded. The enemy gained only the privilege of retiring peacefully, a privilege which, if it had not been accorded, they had the power to take by any one of the three roads open to them."

Next came the battle of Buena Vista, where Gen. Taylor's little army of five thousand men received the attack of twenty thousand Mexicans, led by Santa Anna. Here again Jefferson Davis and his riflemen rendered most distinguished service, and helped to win one of the most remarkable victories of modern times. A writer thus narrates the most prominent incidents of the battle: "The battle had been raging some time with fluctuating fortunes, and was setting against the Americans, when Gen. Taylor, with Col. Davis and others, arrived on the field. Several regiments were in full retreat . . . Col. Davis rode forward to examine the position of the enemy, and concluding that the best way to arrest our fugitives would be to make a bold demonstration, he resolved at once to make a new attack. It was a resolution bold almost to rashness, but the emergency was pressing. . . . A deep ravine separated the combatants. Leaping into it, the Mississippians soon appeared on the other side, and with a

shout that was heard over the battle-field, they poured in a well-directed fire, and rushed upon the enemy. Their deadly aim and wild enthusiasm were irresistible. The Mexicans fled in confusion to their reserves, and Davis seized the commanding position they had occupied. . . . Afterwards a brigade of lancers, one thousand strong, were seen approaching at a gallop, in beautiful array, with sounding bugles and fluttering pennons. It was an appalling spectacle, but not a man flinched from his position. The time between our devoted band and eternity seemed brief indeed. But conscious that the eye of the army was upon them, that the honor of Mississippi was at stake, and knowing that, if they gave way or were ridden down, the unprotected batteries in the rear, upon which the fortunes of the day depended, would be captured, each man resolved to die in his place sooner than retreat. . . . Impressed with this extraordinary firmness where they had expected panic and flight, the lancers advanced more deliberately, as though they saw, for the first time, the dark shadow of the fate that was impending over them. Col. Davis had thrown his men into the form of a re-entering angle (familiarly known as the famous V movement), both flanks resting on ravines, the lancers coming down on the intervening ridge. This exposed them to a converging fire, and the moment they came within rifle range each man

singled out his object, and the whole head of the column fell. A more deadly fire never was delivered, and the brilliant array recoiled and retreated in dismay. Shortly afterwards the Mexicans having concentrated a large force on the right for their final attack, Colonel Davis was ordered in that direction. His regiment had been in action all day, exhausted by thirst and fatigue, much reduced by the carnage of the morning engagement, and many in the ranks suffering from wounds, yet the noble fellows moved at double-quick time. Bowless' little band of Indiana volunteers still acted with them. After marching several hundred yards they perceived the Mexican infantry advancing in three lines upon Bragg's battery, which, though entirely unsupported, held its position with a resolution worthy of its fame. The pressure upon him stimulated the Mississippians. They increased their speed, and when the enemy were within one hundred yards of the battery and confident of its capture, they poured in upon them a raking and destructive fire. This broke their right line, and the rest soon gave way and fell back precipitately. Here Colonel Davis was severely wounded." This painful injury was received early in the day; but, despite his sufferings, Colonel Davis remained with his men until the end of battle. It should be noted that among the killed at Buena Vista was Henry Clay, Jr., son of the illustrious Kentucky statesman.

SENATOR DAVIS.

Jefferson Davis was twice a member of the United States Senate—from 1847–51 and then from 1857 to 1861. Between these two terms came his candidacy for the Gubernatorial office in Mississippi and his service as Secretary of War; nevertheless for convenience his whole senatorial life will now be treated. Colonel Davis returned on crutches from Mexico. As the maimed hero crossed his country's border he was met with two opportunities. One was President Polk's commission, making him Brigadier-General of volunteers, and the other the appointment of the Governor of Mississippi, to fill a vacancy in the United States Senate caused by the death of one of the Mississippi Senators. The first he declined on the ground that volunteers are but State Militia, and that, therefore, militia officers must receive their commissions from their respective States. The second he accepted, and thus secured for himself a field for which both nature and training had fitted him. When the Legislature came together, in 1848, they retained his services as Senator, and the Legislature of 1850 re-elected him to that exalted position. Concerning the period of Mr. Davis' senatorial life, from 1847 to 1851, he, himself, says:

"In the United States Senate I was Chairman of the Military Committee, and I also took an active

part in the debates on the Compromise measures of 1850, frequently opposing Senator Douglas, of Illinois, in his theory of squatter sovereignty, and advocating, as a means of pacification, the extension of the Missouri Compromise line to the Pacific."

It will be interesting to note what were Mr. Davis' views at this time concerning the Union and its perpetuity. In a speech on the compromise measures of 1850 he thus expressed himself:

"Give to each section of the Union justice; give to every citizen of the United States his rights as guaranteed by the Constitution; leave this Confederacy to rest upon that basis from which arose the fraternal feelings of the people, and I for one have no fear of its perpetuity; none that it will survive beyond the limits of human speculation, expanding and hardening with the lapse of time, to extend its blessings to ages unnumbered, and a people innumerable; to include within its empire all the useful products of the earth, and exemplify the capacity of a confederacy with general, well-defined powers, to extend illimitably without impairing its harmony or its strength." It was during this period that Mr. Davis was brought into association with Henry Clay, who still lingered in the Senate, but whose life was verging to its end. Two facts prevented the closest intimacy in antagonism of political views and disparity of age. But their personal relations were

very pleasant. Mr. Clay could never forget that Mr. Davis and his son Henry were in the same army at Buena Vista, and that on that field from which the one brought away imperishable renown, the other lost his life. The Kentucky statesman called Mr. Davis "my young friend." On one occasion he said, "Come, my young friend, join us in these measures of pacification. Let us rally Congress and the people to their support, and they will assure to the country thirty years of peace. By that time" (turning to Jno. M. Berrien, who was a participant in the interview) "you and I will be under the sod and my young friend may then have trouble again." "No," said Davis, "I cannot consent to transfer to posterity a question which is as much ours as theirs, when it is evident that the sectional inequality, as it will be greater then than now, will render hopeless the attainment of justice." Mr. Clay said one day to Mr. Davis: "My poor boy, in writing home from Mexico, usually occupied about one-half of his letters in praising you." In the course of a heated public debate in the Senate, Mr. Clay used the following language: "My friend from Mississippi—and I trust he will permit me to call him my friend, for between us there is a tie, the nature of which we both well understand." As the sentence fell from the lips of the aged Senator, his eyes were filled with tears. In 1851 terminated the first

period of Mr. Davis' senatorial career. How he came to resign his seat and what immediately followed he tells us in his autobiography.

"The canvass for Governor commenced that year. The candidate of the Democratic party was by his opponents represented to hold extreme opinions—in other words, to be a disunionist. For, although he was a man of high character and had served the country well in peace and war, this supposition was so artfully cultivated that, though the Democratic party was estimated to be about eight thousand in majority, when the election occurred in September the Democratic candidates for a convention were defeated by a majority of over seven thousand, and the Democratic candidate for Governor withdrew.

"The election for Governor was to occur in November, and I was called on to take the place vacated by the candidate who had withdrawn from the canvass. It was a forlorn hope, especially as my health had been impaired by labors in the Summer canvass, and there was not time before the approaching election to make such a canvass as would be needed to reform the ranks of the Democracy. However, as a duty to the party I accepted the position, and made as active a campaign as time permitted, with the result that the majority against the party was reduced to less than one thousand. From this time I remained engaged in my quiet farm

labors until the nomination of Franklin Pierce, when I went out to advocate his election, having formed a very high opinion of him as a statesman and a patriot, from observations of him in 1837 and 1838, when he was in the United States Senate."

Mr. Davis re-entered the Senate in December, 1857. He had been elected by the Mississippi Legislature even before the expiration of his time of service as Secretary of War. When Mr. Davis left the Senate, he left the body convulsed with the questions growing out of slavery, and when he returned to it the same storm was raging, only it had increased in fury. He was found always where the tempest was wildest, as he claimed, not to invoke the winds, but to save the ship. Mr. Davis was known to belong to the State's Rights school of politics, and he at once came to the front as a leader of those who took a State's Rights view of the nature of the Union established by the Constitution. This doctrine he vigorously defended, whatever might be the quarter from which it was assailed. The attack might come from Fessenden, the Republican, or from Douglas, the Democrat; in either case he was its ready and able champion. A newspaper correspondent draws a portrait of the man as he appeared in the Senate during the ever memorable winter of 1859–60. Along with it are given pictures of two of his colleagues and intimate

political associates at the time; but we shall be able to see Davis all the more clearly by the contrast with Hunter and Toombs.

THE SOUTHERN TRIUMVIRATE.

WASHINGTON CITY, January 21.—"Yesterday, when Hale was speaking, the right side of the chamber was empty, with the exception of a group of three who sat near the centre of the vacant space. This remarkable group, which wore the air if not the ensigns of power, authority and public care, was composed of Senators Davis, Hunter and Toombs. They were engaged in an earnest colloquy, which, however, was foreign to the argument Hale was elaborating; for though the connection of their words was broken before it reached the gallery, their voices were distinctly audible, and gave signs of their abstraction. They were thinking aloud. If they had met together, under the supervision of some artist gifted with the faculty of illustrating history and character by attitude and expression, who designed to put them, in fresco, on the walls of the new Senate chamber, the combination could not have been more appropriately arranged than chance arranged it on this occasion. Toombs sits among the opposition on the left, Hunter and Davis on the right, and the fact that the two first came to Davis' seat—the one gravitating

to it from a remote, the other from a near point—may be held to indicate which of the three is the preponderating body in the system if preponderance there be, and whose figure should occupy the foreground of the picture if any precedence is to be recorded. Davis sat erect and composed; Hunter, listening, rested his head on his hand; and Toombs, inclining forward, was speaking vehemently. Their respective attitudes were no bad illustration of their individuality. Davis impressed the spectator, who observed the easy but authoritative bearing with which he put aside or assented to Toombs' suggestions, with the notion of some slight superiority, some hardly acknowledged leadership; and Hunter's attentiveness and impassibility were characteristic of his nature, for his profundity of intellect wears the guise of stolidity, and his continuous study that of inertia; while Toombs' quick utterance and restless head bespoke his nervous temperament and activity of mind. But, though each is different from either of the others, the three have several attributes in common. They are equally eminent as statesmen and debaters; they are devoted to the same cause; they are equals in rank and rivals in ambition; and they are about the same age, and neither one—let young America take notice—wears either beard or mustache. I come again to the traits that distinguish

them from each other. In face and form, Davis represents the Norman type with singular fidelity, if my conception of that type be correct. He is tall and sinewy, with fair hair, grey eyes, which are clear rather than bright, high forehead, straight nose, thin, compressed lips, and pointed chin. His cheek bones are hollow, and the vicinity of his mouth is deeply furrowed with intersecting lines. Leanness of face, length and sharpness of feature, length of limb, and intensity of expression, rendered acute by angular, facial outline, are the general characteristics of his appearance."

Events now moved rapidly towards their culmination. In November, 1860, Abraham Lincoln was elected President of the United States. He was thought by the Southern people to hold views and intentions hostile to their interests and institutions—interests and institutions that they claimed the general government had no right to deal with, and which had been left by the Constitution to the management of the respective States. South Carolina was the first State to withdraw from the Union, having adopted her Ordinance of Secession on December 20, 1860. Mississippi was but three weeks behind her; for Mississippi went out on the 9th day of January, 1861. So soon as Mr. Davis received formal notice that his State had passed her act of secession, he in perfect consistency with views long

held and frequently proclaimed, considered his functions in the United States Senate were at an end; and, accordingly, he withdrew from that body on January 21, 1861. Before doing so, however, he delivered the valedictory address given below. It seems proper to give the speech in full, in order that every reader may judge for himself as to Mr. Davis' argument in justification of Mississippi, and as to the spirit he carried with him from the Senate to the new toils and responsibilities to which he would presently be called.

"I rise, Mr. President, for the purpose of announcing to the Senate that I have satisfactory evidence that the State of Mississippi, by a solemn ordinance of her people, in convention assembled, has declared her separation from the United States. Under these circumstances, of course, my functions are terminated here. It has seemed to me proper, however, that I should appear in the Senate to announce that fact to my associates, and I will say but very little more. The occasion does not invite me to go into argument; and my physical condition would not permit me to do so, if otherwise; and yet it seems to become me to say something on the part of the State I here represent, on an occasion so solemn as this.

"It is known to Senators who have served with

me here, that I have, for many years, advocated, as an essential attribute of State sovereignty, the right of a State to secede from the Union. Therefore, if I had not believed there was justifiable cause; if I had thought that Mississippi was acting without sufficient provocation, or without an existing necessity, I should still, under my theory of the Government, because of my allegiance to the State of which I am a citizen, have been bound by her action. I, however, may be permitted to say that I do think she has justifiable cause, and I approve of her act. I conferred with her people before that act was taken, counseled them then that if the state of things which they apprehended should exist when the Convention met, they should take the action which they have now adopted.

"I hope none who hear me will confound this expression of mine with the advocacy of the right of a State to remain in the Union, and to disregard its constitutional obligations by the nullification of the law. Such is not my theory. Nullification and secession, so often confounded, are, indeed, antagonistic principles. Nullification is a remedy which it is sought to apply within the Union, and against the agent of the States. It is only to be justified when the agent has violated his constitutional obligations, and a State, assuming to judge for itself, denies the right of the agent thus to act,

and appeals to the other States of the Union for a decision; but when the States themselves, and when the people of the States have so acted as to convince us that they will not regard our constitutional rights, then, and then for the first time, arises the doctrine of secession in its practical application.

"A great man, who now reposes with his fathers, and who has often been arraigned for a want of fealty to the Union, advocated the doctrine of nullification because it preserved the Union. It was because of his deep-seated attachment to the Union—his determination to find some remedy for existing ills short of a severance of the ties which bound South Carolina to the other States, that Mr. Calhoun advocated the doctrine of nullification, which he proclaimed to be peaceful—to be within the limits of State power, not to disturb the Union, but only to be a means of bringing the agent before the tribunal of the States for their judgment.

"Secession belongs to a different class of remedies. It is to be justified upon the basis that the States are Sovereign. There was a time when none denied it. I hope the time may come again, when a better comprehension of the theory of our Government, and the inalienable rights of the people of the States, will prevent any one from denying that each State is a sovereign, and thus may re-

claim the grants which it has made to any agent whomsoever.

"I, therefore, say I concur in the action of the people of Mississippi, believing it to be necessary and proper, and should have been bound by their action if my belief had been otherwise; and this brings me to the important point which I wish, on this last occasion, to present to the Senate. It is by this confounding of nullification and secession that the name of a great man, whose ashes now mingle with his mother earth, has been evoked to justify coercion against a seceded State. The phrase, 'to execute the laws,' was an expression which General Jackson applied to the case of a State refusing to obey the laws while yet a member of the Union. That is not the case which is now presented. The laws are to be executed over the United States, and upon the people of the United States. They have no relation to any foreign country. It is a perversion of terms—at least it is a great misapprehension of the case—which cites that expression for application to a State which has withdrawn from the Union. You may make war on a foreign State. If it be the purpose of gentlemen they may make war against a State which has withdrawn from the Union; but there are no laws of the United States to be executed within the limits of a seceded State. A State, finding

herself in the condition in which Mississippi has judged she is—in which her safety requires that she should provide for the maintenance of her rights out of the Union—surrenders all benefits (and they are known to be many), deprives herself of the advantages (and they are known to be great), severs all the ties of affection (and they are close and endearing), which have bound her to the Union, and thus divesting herself of every benefit—taking upon herself every burden—she claims to be exempt from any power to execute the laws of the United States within her limits.

"I well remember an occasion when Massachusetts was arraigned before the bar of the Senate, and when the doctrine of coercion was rife, and to be applied against her, because of the rescue of a fugitive slave in Boston. My opinion then was the same that it is now. Not in a spirit of egotism, but to show that I am not influenced, in my opinion, because the case is my own, I refer to that time and that occasion, as containing the opinion which I then entertained, and on which my present conduct is based. I then said that, if Massachusetts, following her through a stated line of conduct, choose to take the last step which separates her from the Union, it is her right to go, and I will neither vote one dollar nor one man to coerce her back; but will say to her, God speed in memory of

the kind associations which once existed between her and the other States.

"It has been a conviction of pressing necessity—it has been a belief that we are to be deprived, in the Union, of the rights which our fathers bequeathed us—which has brought Mississippi into her present decision. She has heard proclaimed the theory that all men are created free and equal, and this made the basis of attack upon her social institutions; and the sacred Declaration of Independence has been invoked to maintain the position of the equality of the races. The Declaration of Independence is to be construed by the circumstances and purposes for which it was made. The communities were declaring their independence; the people of those communities were asserting that no man was born (to use the words of Mr. Jefferson) booted and spurred, to ride over the rest of mankind; that men were created equal—meaning the men of a political community; that there was no divine right to rule; that no man inherited the right to govern; that there were no classes by which power and place descended to families, but that all stations were equally within the grasp of each member of the body politic. These were the great principles they announced; these were the purposes for which they made their declaration; these were the ends to which their enunciation was

directed. They have no reference to the slave; else, how happened it, that, among the items of arraignment against George III. was, that he endeavored to do just what the North has been endeavoring of late to do, to stir up insurrection among our slaves. Had the Declaration announced that the negroes were free and equal, how was the prince to be arraigned for raising up insurrection among them? And how was this to be enumerated among the high crimes which caused the colonies to sever their connection with the mother country? When our constitution was formed, the same idea was rendered more palpable; for there we find provision made for that very class of persons as property; they were not put upon the footing of equality with white men—not even upon that of paupers and convicts; but so far as representation was concerned, were discriminated against as a lower caste, only to be represented in the numerical proportion of three-fifths.

"Then, Senators, we recur to the compact which binds us together; we recur to the principles upon which our Government was founded; and when you deny them, and when you deny to us the right to withdraw from a government, which, thus perverted, threatens to be destructive to our rights, we but tread in the path of our fathers when we proclaim our independence, and take the hazard.

This is done, not in hostility to others—not to injure any section of the country—not even for our own pecuniary benefit; but from the high and solemn motive of defending and protecting the rights we inherited, and which it is our duty to transmit unshorn to our children.

"I find in myself, perhaps, a type of the general feeling of my constituents towards you. I am sure I feel no hostility towards you, Senators from the North. I am sure there is not one of you, whatever sharp discussion there may have been between us, to whom I cannot now say, in the presence of my God, I wish you well; and such, I am sure, is the feeling of the people I represent towards those you represent. I, therefore, feel that I but express their desire, when I say I hope, and they hope, for peaceable relations with you, though we must part. They may be mutually beneficial to us in the future, as they have been in the past, if you so will. The reverse may bring disaster on every portion of the country; and if you will have it thus, we will invoke the God of our fathers, who delivered us from the power of the lion, to protect us from the ravages of the bear; and thus, putting our trust in God, and in our firm hearts and strong arms, we will vindicate the right as best we may.

"In the course of my services here, associated, at different times, with a great variety of Senators,

I see now around me some with whom I have served long; there have been points of collision, but whatever offence there has been to me, I leave here,—I carry with me no hostile remembrance. Whatever offense I have given, which has not been redressed, or for which satisfaction has not been demanded, I have, Senators, in this hour of our parting, to offer you my apology for any pain which, in the heat of discussion, I have inflicted. I go hence unincumbered of the remembrance of any injury received, and having discharged the duty of making the only reparation in my power for any injury offered.

"Mr. President and Senators, having made the announcement which the occasion seemed to me to require, it only remains for me to bid you a final adieu."

Thus a stately and striking form that had long been familiar to those visiting the Senate disappeared from its precincts forever.

It is proper here to add a short clipping that shows the impression made by Mr. Davis upon the employés of the Senate.

Mr. E. V. Murphy, of the Senate stenographic corps, knew Mr. Davis when he was a Senator, and says he recollects particularly how kind Mr. Davis was to all the employés about the Senate. He

knew them all personally, and would ask after them and after their families where they had any. He complimented the stenographic reports of the Senate. He was a favorite with all the employés for another reason, and that was because he would always endeavor to secure extra compensation for them.

SECRETARY DAVIS.

As we have already seen, the end of the year 1851 found Mr. Davis living quietly on his plantation in Mississippi, a retirement resulting from his unsuccessful canvass for the office of Governor of the State. The Presidential election of 1852 called Franklin Pierce, of New Hampshire, to the chief-magistracy of the nation. He was the nominee of the Democratic party, and during the canvass Mr. Davis supported him most heartily. President-elect Pierce offered Mr. Davis a place in his Cabinet, which he at first declined, but afterwards the portfolio of War was accepted. In the same Cabinet Wm. L. Marcy was Secretary of State, and Caleb Cushing was Attorney-General. Mr. Davis thus speaks of his administration of the affairs of the department entrusted to him :

"During these four years, I proposed the introduction of camels for service on the Western plains, a suggestion which was adopted. I also introduced an improved system of infantry tactics; effected the

substitution of iron for wood in gun-carriages; secured rifled muskets and rifles and the use of Minnié balls, and advocated the increase of the defenses of the sea coast by heavy guns and the use of large-grain powder.

"While in the Senate I had advocated, as a military necessity and as a means of preserving the Pacific Territory to the Union, the construction of a military railway across the continent; and, as Secretary of War, I was put in charge of the surveys of the various routes proposed. Perhaps for a similar reason—my previous action in the Senate—I was also put in charge of the extension of the United States Capitol.

"The administration of Mr. Pierce presents the single instance of an Executive whose Cabinet witnessed no change of persons during the whole term."

The following is clipped from the New York *Herald:*

"The only man now living who served under Secretary Davis' immediate administration in the Secretary's office is Major Wm. B. Lee, who was one of the seven clerks then forming the force in that division. He is still employed in the same office. He remembers Mr. Davis very well. He said this morning:—'He was one of the best Secretaries of War who ever served. He was a kind, social man,

very considerate and pleasant to serve under. I never heard a complaint from one of the clerks. Socially, he was a most charming man, officially, very pleasant. He was a warm friend and a bitter enemy. I knew him many years, and as a man I found him a very good friend. He was a regular bull-dog when he formed an opinion, for he would never let go. About the only very important event of his administration was his quarrel with General Scott, which was very bitter, and caused a great deal of hard feeling.'

"Speaking of the time when Mr. Davis was Secretary of War, in the administration of President Pierce, General Montgomery C. Meigs, formerly quartermaster-general of the army, said:—'My acquaintance with Mr. Davis began upon the occasion of my submitting to him the plans for the introduction of water to the city of Washington. The Act of Congress providing for a supply of water to the city, placed the direction of the work in the hands of the President, who devolved it upon the Secretary of War as his representative. I was thus brought into a close intimacy with Mr. Davis and became much attached to him, and I think that this feeling was reciprocated in some measure by himself. Mr. Davis was a most courteous and amiable man in those days, and I found intercourse with him very agreeable. He was a man, too, of marked ability,

and I quite looked up to him and regarded him as one of the great men of the time.'"

PRESIDENT DAVIS.

When Mr. Davis retired from the United States Senate on January 21, 1861, he went immediately to Mississippi. While journeying to his home he was appointed commander-in-chief of the forces that the State was raising to meet a conflict that seemed inevitable. He had not time to proceed far with the organization before he received notification that he had been elected Provisional President of the Confederate States. He reluctantly accepted the office, and was inaugurated at Montgomery, Alabama, on the 18th day of February, 1861. With what sentiments and purposes he entered upon his duties may be gathered from the following quotations taken from his inaugural address:

"I enter upon the duties of the office to which I have been chosen, with the hope that the beginning of our career as a Confederacy may not be obstructed by hostile opposition to our enjoyment of the separate existence and independence which we have asserted, and, with the blessing of Providence, intend to maintain. Our present condition, achieved in a manner unprecedented in the history of nations, illustrates the American idea that government rests on the consent of the governed, and that it is the

right of the people to alter or abolish governments whenever they become destructive of the ends for which they were established.

"Sustained by the consciousness that the transition from the former Union to the present Confederacy has not proceeded from a disregard on our part of just obligations, or any failure to perform any Constitutional duty; moved by no interest or passion to invade the rights of others; anxious to cultivate peace and commerce with all nations, if we may not hope to avoid war, we may at least expect that posterity will acquit us of having needlessly engaged in it.

"Reverently let us invoke of the God of our fathers to guide and protect us in our efforts to perpetuate the principles which, by His blessing, they were able to vindicate, establish and transmit to their posterity, and, with a continuance of His favor ever gratefully acknowledged, we may hopefully look forward to success, to peace, and to prosperity."

Great events now followed each other in rapid succession. On March 4th, President Lincoln was inaugurated. On the next day, Messrs. Crawford and Forsyth arrived in Washington, as Commissioners from President Davis "to negotiate friendly relations between the United States and the Confederate States of America, and for the settlement of all questions of disagreement between the two govern-

ments on principles of right, justice, equity and good faith." On the 12th March they addressed a formal communication to Mr. Seward, Secretary of War, fully revealing the nature and objects of their mission, and especially offering to treat with reference to the withdrawal of the Federal forces from Forts Sumter and Pickens in Charleston harbor. The embassy was met, first, by promises to evacuate these strongholds within the limits of the Southern Confederacy, and then by a secret attempt to re-inforce them. When it became known to President Davis that the expedition had actually sailed, he issued to General Beauregard, commmanding in Charleston, an order to undertake the reduction of forts. He opened fire on April the 12th, and on the 13th the surrender occurred. On the 15th, President Lincoln issued a proclamation calling for seventy-five thousand men, and stating that they would be used for "maintaining the honor, the integrity and existence of the Union, and the perpetuity of the popular government." On May the 6th, Virginia became a member of the Southern Confederacy. On the 20th of May the seat of the Confederate Government was removed from Montgomery to Richmond, and a few days thereafter Mr. Davis arrived in the latter city and established there an administration on which the observation of the world was to be focused through four eventful years. It was

evident now that war was at hand. The battle at Manassas in July was but the result of preparations that had been going on for two months. When it was known that the attack was about to be made by the Federal forces gathered at Washington, President Davis took train and hastened to join the Confederate army. He reached the scene of conflict just as the enemy were retiring, panic-stricken, from the field. In his "Rise and Fall of the Southern Confederacy," he gives a very graphic description of what he saw and heard along the road that led to the ground where the deadly struggle was going on. When, two days after, he returned to Richmond, a large crowd met him at the station. As he stepped from the cars he made the following impromptu speech:

"FELLOW-CITIZENS OF THE CONFEDERATE STATES:—

"I rejoice with you this evening in those better and happier feelings which we all experience, as compared with the anxieties of three days ago. Your little army, derided for its want of numbers,—derided for its want of arms,—derided for its lack of all the essential material of war,—has met the grand army of the enemy, routed it at every point, and it now flies in inglorious retreat before our victorious columns. We have taught them a lesson in their invasion of the sacred soil of Virginia; we

have taught them that the grand old mother of Washington still nurses a band of heroes; and a yet bloodier and far more fatal lesson awaits them unless they speedily acknowledge that freedom to which you were born." President Davis continued to administer affairs under the Provisional Government until February, 1862, when that expired by limitation, and the Permanent Government was set up. On February 22d, Washington's birthday, and beside the monument erected to his memory by the State that claimed him as her own, Mr. Davis delivered his inaugural address as the President of the Confederate States under their Permanent Government. The day was exceedingly uncomfortable and gloomy. The atmosphere was chill and the rain was poured down from the heavens, which seemed to have gone into mourning over recent reverses to the Confederate Army. The last sentence of the address was as follows:

"With humble gratitude and adoration, acknowledging the Providence which has so visibly protected the Confederacy during its brief but eventful career, to thee, O God! I trustingly commit myself, and prayerfully invoke thy blessing on my country and its cause." It would not be suitable here to follow President Davis through all the events that were crowded rapidly into the period during which he was the Chief Magistrate of the Southern Con-

federacy. But some reminiscences lingering in Richmond may be very properly given.

HISTORIC ROOMS.

During his residence here the President's office and the Cabinet rooms and other offices were in the granite building now used as a post-office, custom-house and for other Governmental purposes. Mr. Davis' house was at the corner of Twelfth and Clay, almost opposite and about a dozen blocks north of his office. It was his custom to walk to the office in the morning. His usual route was through the Capitol Square. About ten o'clock each morning he could be seen coming down the graveled walks to the executive office. His private office in those days was the one now and almost ever since used as the United States Court-room. There it was, amid such familiar scenes, the President was arraigned before United States Circuit Judge Underwood on the 13th of May, 1867, to be tried for treason. He had been arrested in Georgia, and committed to a casement at Fortress Monroe, where he remained for weeks. He was finally brought here and came before the notorious Underwood, who bailed him, and that was the last ever heard of that famous trial. The Cabinet room, the one in which Mr. Davis held his council with his official household, was the one just opposite the President's, and for years used by the

clerk of the United States District Court. It was there that all of the military movements were discussed by the head of the Confederacy and his advisers.

INTERESTING REMINISCENCES.

"It was in the early part of the year 1865 that the writer, one of a secret joint committee of the Legislature of Virginia, called upon President Davis at his room in the custom-house in Richmond. The spokesman of the committee, addressing the President, informed him that the Legislature of Virginia had directed the committee to inquire whether any further legislation could be suggested in aid of the Confederate cause. His response can never be forgotten by any who heard it. There was in it the eloquence of deep feeling and the energy of an undying resolve. While thanking the State, through its committee, for its kindly offer, he added that he thought Virginia had done her full duty, that her fair bosom had been furrowed by the ploughshare of war, and that the bones of her gallant sons were bleaching on every battle-field, and that all he could ask was that she would not waver in her confidence in the government. There was a pathos and depth of emotion in his remarks that impressed every member of the committee with the conviction that they were the utterances of a heart full of heroic fire and that felt no fear, though the clouds were dark and

the auguries to the common mind seemed pregnant of ill."

No one in Richmond, or for that matter in the South, outside of his own family, saw more of President Davis in those days than Mr. Wm. H. Davies. That gentleman, when about nineteen years of age, entered the President's service as confidential messenger. He was with him from the time Mr. Davies came here from Montgomery, Ala., until the night of evacuation. Referring to the Cabinet meetings, Mr. Davies said:

"General Robert E. Lee was the only person ever permitted to enter the Cabinet unannounced. When he came in I merely opened the doors, and he walked into the council chamber.

A LOVABLE MAN.

"Yes, he was one of the most lovable men I ever knew. He was always dignified, calm and thoroughly well-poised, but he treated everybody around him with courtesy. With me he was more like a father than an employer. Mr. Davis was a fine rider—the finest, I think, I ever knew. It was his custom to ride out three or four times a week, or as much oftener as the weather and his official duties permitted. A favorite route was up Clay Street in the direction of Camp Lee.

ATTEMPTED ASSASSINATION.

"He was nearly always alone, never having the slightest fear of his life. This, by the way, came near getting him into trouble one evening. I remember it just as well as if it only occurred yesterday. The President rode out the Bloody Run road. When just below Rockett's some one fired a pistol at him from ambush. Luckily, the would-be assassin missed his mark. The man was subsequently found concealed in the roof of one of the shanties in the neighborhood and arrested. He was never prosecuted, though. This incident never alarmed Mr. Davis, nor did he permit it to interfere with his evening equestrian exercise. He still continued this unaccompanied.

THE EVACUATION.

"On the Sunday night of the evacuation of Richmond, I was at the President's mansion assisting in packing up to go South. The President had received several telegrams that day from General Lee and other commanders apprising him of the condition of affairs, and, of course, we knew that the end had come. All around us in the Executive Mansion was bustle and excitement incident to such an occasion. I remember well, just before the time for departure arrived, Mr. Davis sat on a divan in his

study, sad, but calm and dignified. He talked pleasantly with those around him. When his carriage drove up to the door to carry him to the depot Mr. Davis lighted a cigar, took a seat in the conveyance and was driven to the Danville depot, where he took the train for the South."

SUPPLEMENTING AN INADEQUATE SALARY.

In the early days of the Confederacy there were frequent receptions and levees at the Executive Mansion, but in the last year or so these were pretty well discontinued. Mr. Davis, as the President of the Confederacy, received a salary of $25,000, and this in Confederate money. Towards the close of the struggle the purchasing capacity of that amount was not sufficient to have maintained a small family in the humble walks of life. Despite these facts, all say that the President would never accept a cent from the government except his salary. Forage for his horses and other things could have been drawn from the Government, but his sterling and conscientious scruples of honor would never for a moment entertain the idea of stooping to any of these things. A gentleman connected with the President in those pinching times says : "I disposed of silverware and other household articles of value for Mr. Davis to supplement his salary. He refused, too, to accept from the city of Richmond the house in which he

dwelt. This was offered in fee-simple, but gracefully declined."

SLOW TO FORGET A WRONG.

Mr. Davis was a man slow to forget a serious wrong. This was shown in his treatment of the Emperor Napoleon. Mr. Davis thought that the former acted treacherously towards him in the course he pursued about France recognizing the Southern Confederacy. When Mr. Davis visited Paris, some time after the close of the war, Napoleon sent a special messenger to him with a pressing invitation to call on him. "Tell your majesty," said Mr. Davis to the messenger, "with my compliments, that I am much obliged, but if he wants to see me he must call on me."

HIS VIGOROUS PERSONALITY.

Very few persons, even those most intimately associated with him, could grasp the true character of the man. A distinguished ex-Confederate, whose duties during the war brought him in official contact with Mr. Davis, says:

"He was a hard man to understand. No one could fail to appreciate his elevated standard of manhood, his lofty integrity, his remarkable ability. Yet it was hard to realize how he could be so wedded to his own opinions as to turn absolutely and invari-

ably a deaf ear to all counsel which conflicted with them. He never forgot a friend and never forgave an enemy. Mr. Davis used as pure English as any man I have ever read after. His style of composition was remarkably graceful and eloquent, and many of his addresses during the war were couched in such language as to thrill through and through the coldest of natures. Literally it can be affirmed he never said a foolish thing. While he might often be considered by some as arbitrary and despotic in his conduct of public affairs, no man ever at the head of a government was more scrupulously conscientious in abiding by the strict letter of the Constitution and law."

HIS LAST VISIT TO RICHMOND.

The ex-President returned to Richmond but once after his trial. The occasion of that visit was to attend the Robert E. Lee memorial service held here in Dr. Moore's church. On that occasion he was received with wild enthusiasm.

The January number of *Belford's Magazine* contains the autobiography of the late Jefferson Davis and an article by him on Andersonville prison, to which his recent death lends extraordinary interest.

No one question connected with the Civil War has occasioned such bitter debate, or so widespread a feeling in the North as the alleged inhuman

treatment of Federal prisoners of war in the South. Discussing the subject with justice and candor, Mr. Davis shows how much of this ill feeling rests upon misapprehension and falsehood, and, what will be a sharp revelation to very many persons, that the sufferings and hardships of Confederate prisoners in Northern prisons not only equaled but even exceeded those of Union prisoners at Andersonville and elsewhere. The writer supports his statements with a mass of proof which no upright mind can refuse to credit and which puts a new face upon the ancient feud.

"Andersonville," he says, "was selected after careful investigation for the following reasons: It was in a high pine-wood region, in a productive farming country, had never been devastated by the enemy, was well watered and near to Americus, a central depot for collecting the tax in kind and purchasing provisions. The climate was mild," and there were no "recognizable sources of disease." Persistence on the part of the United States in refusing to exchange prisoners "caused so large an increase in the number of the captured sent to Andersonville as to exceed the accommodation provided and thus augment the discomfort and disease of confinement. . . . It was not starvation, as has been alleged, but acclimation, unsuitable diet and despondency which were the potent agents of dis-

ease and death. Statements from gentlemen of high standing, who speak disinterestedly, are submitted as conclusive on the question of 'quantity' of food at Andersonville prison." Quoting from a letter, Mr. Davis says: "'I can with perfect truth declare as my conviction that General Winder, who had control of the prisoners, was an honest, upright and humane gentleman. He had the reputation of treating the prisoners confided to his general supervision with great kindness and consideration. . . . Both the President and Secretary of War always manifested great anxiety that the prisoners should be kindly treated and amply provided with food to the extent of our means.'" Again, Mr. Lawson quotes: "'The Federal prisoners were removed to Southwestern Georgia in the early part of 1864, to secure a more abundant supply of food.'" Quoting from Austin Flint, Jr.'s, "Physiology of Man," Mr. Davis says: "'The effects of salt meats and farinaceous food (at Andersonville) without vegetables were manifest in the great prevalence of scurvy. The scorbutic condition, thus induced, modified the course of every disease, poisoned every wound, and lay at the foundation of those obstinate and exhaustive diarrhœas and dysenteries which swept off thousands of those unfortunate men,'"—*i.e.*, the Federal prisoners of Andersonville. "President Davis had permitted three of the Andersonville prisoners to go

to Washington to try and change the determination of their Government and procure a resumption of exchanges. The prisoners knew of the failure of their mission when I was at Andersonville, and the effect was to plunge the great majority of them into the deepest melancholy, home-sickness and despondency. . . . The same Captain Wirz who was tried and hung as a murderer, warmly urged improvements for the benefit of the unhappy prisoners under his charge. . . . I mention these facts to show that he (Captain Wirz) was not the monster he was afterwards represented to be, when his blood was called for by infuriate fanaticism. . . . The facts alluded to satisfied me that he was a humane man. . . . The real cause of all the protracted sufferings of prisoners, North and South, is directly due to the inhuman refusal of the Federal Government to exchange prisoners of war. . . . The greatest difficulty was experienced in procuring medicines and anti-scorbutics. These were made contraband by order of the Federal Government. . . . For a period of some three months Captain Wirz (who had himself suffered from gangrene in an old wound) and a few faithful officers were engaged night and day in ministering to the sick and dying. . . . In his trial certain Federal witnesses swore to his (Captain Wirz) killing certain prisoners in August, 1864, when he was actually absent on sick leave

in Augusta, Ga., at the time." Quoting from the words of a Federal prisoner, in relation to the food served the prisoners, of which, in quantity, there was no lack, "it was the ordinary diet of the Confederate Army, and they had nothing else to give us. . . . The cooks were our own men. . . . In reference to the report that Captain Wirz beat the prisoners, it was certainly unjust, because his right shoulder had been broken." Wirz was assured that if he would implicate Jefferson Davis with the Andersonville atrocities his sentence would be commuted. "To which Wirz replied: 'I know nothing about Jefferson Davis. He had no connection with me as to what was done at Andersonville.'"

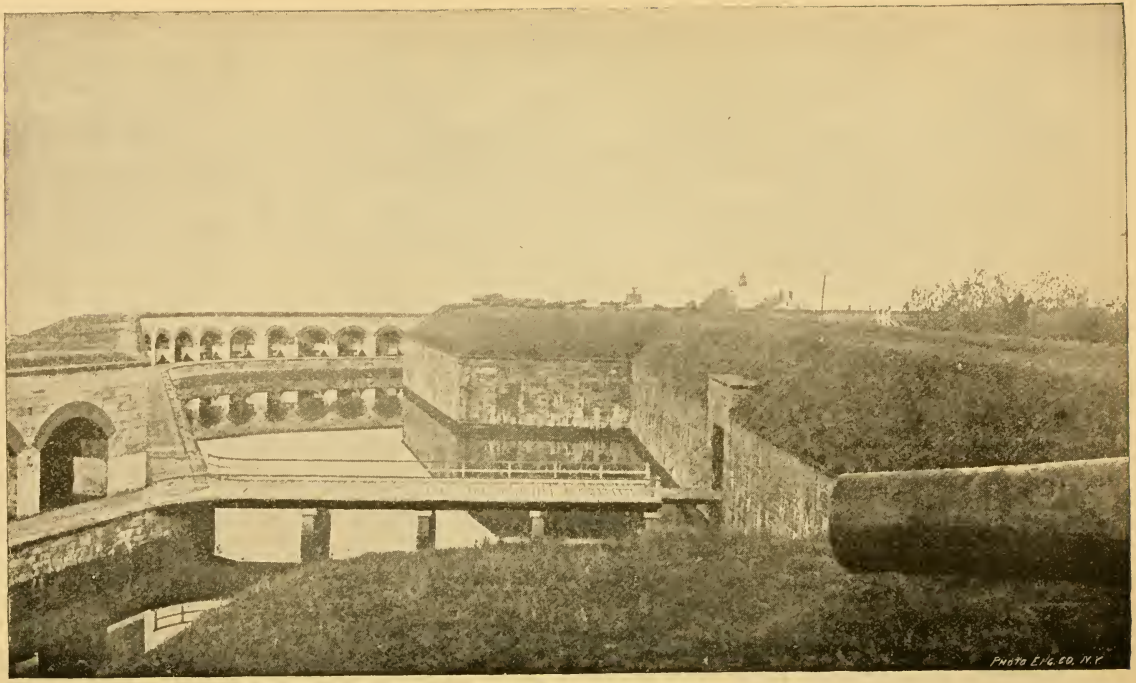
Mr. Davis goes on to show that the Confederate prisoners in Northern prison-pens were treated quite as badly from the same causes, *i. e.*, lack of habitual food, over-crowding, the diseases of men crowded together, home-sickness, etc., as were Northern prisoners at the South.

EX-PRESIDENT DAVIS.

On Sunday, April 2, 1865, while President Davis was seated quietly in his pew in St. Paul's Church, he received official information that General Lee's lines before Petersburg had been broken, and that it was necessary for the Confederate Government to

evacuate Richmond. On that night he left the city. On April 3d he reached Danville, Va., where he remained until tidings came of the surrender of General Lee's army. We next find him at Greensboro', N. C., where he held a consultation with Generals Johnston and Beauregard. On the 18th of April he arrived at Charlotte, in the same State. Here he remained nearly a week, and during his stay he received intelligence of the assassination of President Lincoln. Concerning the crime he said, "I certainly have no special regard for Mr. Lincoln, but there are a great many men of whose end I would much rather hear than his. I fear it will be disastrous to our people, and I regret it deeply." Here may be given an extract from Ex-President Davis' autobiography from *Belford's Magazine:*

"After General Lee was forced to surrender, and General Johnston consented to do so, I started, with a very few of the men who volunteered to accompany me, for the trans-Mississippi; but, hearing on the road that marauders were pursuing my family, whom I had not seen since they left Richmond, but knew to be *en route* to the Florida coast, I changed my direction, and, after a long and hard ride, found them encamped and threatened by a robbing party. To give them the needed protection I traveled with them for several days, until in the neighborhood of Irvinsville, Ga., when I supposed I could safely



FORTRESS MONROE, VIRGINIA.

(Where Mr. Davis was imprisoned.)

leave them. But hearing, about nightfall, that a party of marauders were to attack the camp that night, and supposing them to be pillaging deserters from both armies and that the Confederates would listen to me, I awaited their coming, lay down in my traveling clothes and fell asleep. Late in the night my colored coachman aroused me with the intelligence that the camp was attacked, and I stepped out of the tent where my wife and children were sleeping, and saw at once that the assailants were troops deploying around the encampment. I so informed my wife, who urged me to escape. After some hesitation I consented, and a servant woman started with me carrying a bucket, as if going to the spring for water. One of the surrounding troops ordered me to halt and demanded my surrender. I advanced toward the trooper, throwing off a shawl which my wife had put over my shoulders. The trooper aimed his carbine, when my wife, who witnessed the act, rushed forward and threw her arms around me, thus defeating my intention, which was, if the trooper missed his aim, to try and unhorse him and escape with his horse. Then, with every species of petty pillage and offensive exhibition, I was taken from point to point until incarcerated in Fortress Monroe. There I was imprisoned for two years before being allowed the privilege of the writ of *habeas corpus*."

"At length, when the writ was to be issued, the condition was imposed by the Federal Executive that there should be bondsmen influential in the 'Republican' party of the North, Mr. Greeley being specially named. Entirely as a matter of justice and legal right, not from motives of personal regard, Mr. Greeley, Mr. Gerrit Smith and other eminent Northern citizens went on my bond.

"In May, 1867, after being released from Fortress Monroe, I went to Canada, where my older children were, with their grandmother; my wife, as soon as permitted, having shared my imprisonment, and brought our infant daughter with her. From time to time I obeyed summonses to go before the Federal Court at Richmond, until, finally, the case was heard by Chief Justice Chase and District Judge Underwood, who were divided in opinion, which sent the case to the Supreme Court of the United States, and the proceedings were quashed, leaving me without the opportunity to vindicate myself before the highest Federal Court.

"After about a year's residence in Canada I went to England with my family, under an arrangement that I was to have sixty days' notice whenever the United States Court required my presence. After being abroad in England and on the Continent about a year I received an offer of an appointment as president of a life insurance company. Thereupon

I returned to this country and went to Memphis and took charge of the company. Subsequently I came to the Gulf Coast of Mississippi, as a quiet place where I could prepare my work on 'The Rise and Fall of the Confederate Government.' A friend from her infancy, Mrs. Dorsey, shared her home with me, and subsequently sold to me her property of Beauvoir, an estate of five or six hundred acres, about midway between Mobile and New Orleans. Before I had fully paid for this estate Mrs. Dorsey died, leaving me her sole legatee. From the spring of 1876 to the autumn of 1879 I devoted myself to the production of the historical work just mentioned. It is an octavo book in two volumes of about seven hundred pages each. I have also from time to time contributed essays to the *North American Review* and *Belford's Magazine*, and have just completed the manuscript of 'A Short History of the Confederate States of America,' which is expected to appear early in 1890.

"Since settling at Beauvoir I have persistently refused to take any active part in politics, not merely because of my disfranchisement, but from a belief that such labors could not be made to conduce to the public good, owing to the sectional hostilities manifested against me since the war. For the same reason I have also refused to be a candidate for public office, although it is well known that I could at

any time have been re-elected a Senator of the United States.

"I have been twice married, the second time being in 1844, to a daughter of Wm. B. Howell, of Natchez, a son of Governor Howell, of New Jersey. She has borne me six children—four sons and two daughters. My sons are all dead; my daughters survive. The elder is Mrs. Hayes, of Colorado Springs, Col., and the mother of four children. My youngest daughter lives with us at Beauvoir, Miss. Born in the last year of the war, she became familiarly known as 'the daughter of the Confederacy.'"

A DAY AT BEAUVOIR.

A day with the ex-President is thus narrated by Mr. Sidney Root, a well-known Georgian. It is taken from the *Atlanta Constitution:*

"On the way to the Southern Forestry Congress, in February, 1887, I found I had a day's leisure, and it occurred to me to accept an often-repeated invitation to visit Mr. Davis at Beauvoir, Miss., a railroad station about half-way between Mobile and New Orleans. It chanced that I had been on the committee which escorted him to Montgomery in 1861, and our relations became somewhat intimate during the war, continuing it without interruption until this time. In the afternoon the train left me

BEAUVOIR, MISSISSIPPI.
(Home of Mr. Davis.)

at the little station, which is also the local post-office, the ex-President being the chief patron. A young Englishman in the service of Mr. Davis politely guided me over the devious country road to the family residence, half a mile distant.

THE BUILDINGS AT BEAUVOIR

form quite a group, having been built at considerable cost for a luxurious Southern home. Situated on a high bluff of white sand, about a hundred yards from the Mexican gulf, blown over by the salt sea breeze, it must be a healthy place. The soil seems incapable of producing anything but the superb live oaks, magnolias and pines, which shade the grounds of about fifty acres. All the buildings are of wood—one-story and slate-covered—the principal one is quite capacious, containing probably ten rooms, with lofty ceilings and all handsomely frescoed. A very wide hall runs through the centre, and a broad veranda surrounds the whole. On either side, some fifty yards distant, are cottages of similar design, in one of which is Mr. Davis' office and reference library, his daughter's studio (Miss Davis is a fine artist) and a sleeping-room. The other cottage is an 'overflow' guest chamber building; a cluster of out-houses huddle in the rear. All the houses are painted white and show pleasantly under the evergreen foliage. Soon after sending in my card

THE VENERABLE EX-PRESIDENT

greeted me with hearty cordiality, and it was gratifying to notice that this remarkable man still retained the dignified bearing, high courtesy and gentle manner of the 'old South.' That this man, now about eighty, conspicuous in the Black Hawk, Seminole and Mexican Wars, Secretary of War under Pierce, United States Senator from Mississipi for two terms, President of the Confederate States during the greatest conflict of modern time, State prisoner in a damp casemate of Fortress Monroe for two years, could, during all the stress which must have pressed upon him, still retain his erect carriage, wonderful memory and accurate knowledge of current events, is beyond my comprehension. Drawing some restful chairs to the parlor windows, through which came the soft gulf breeze, I had the happiness of a free conversation with, I think, the greatest man I ever knew. Many tender memories of personal interest were recalled and many historic points discussed. With the exception of John C. Calhoun, Mr. Davis is

THE MOST INTERESTING TALKER

I ever met. I suppose he is the only man living who knows and remembers accurately the inner history of the Confederacy. In speaking of the Black

Hawk, Seminole and Mexican Wars he related many interesting incidents, and mentioned the singular fact that all the commanders in the Mexican War were from the South, as Scott, of Virginia; Taylor, of Louisiana; Worth, of North Carolina; Briggs, of Georgia; Pillow, of Tennessee; Quitman, of Mississippi, besides, Bragg, Davis, Butler and others who held subordinate positions. Quitman, however, was born in the North.

"I asked him who he thought was the greatest Confederate commander. After some thought he said General Lee, explaining that Albert Sidney Johnston was undoubtedly the equal of Lee, but having fallen early in the war he had no opportunity to demonstrate his great capabilities. After these two he mentioned Stonewall Jackson, J. E. Johnston, Gordon, Longstreet, Stewart, Lees, the Hills and many others. I asked him whom he considered the greatest Union general. He answered unhesitatingly—McClellan. Said he was an intense Union man, and he respected him as such, but that he fell under unjust suspicion at Washington—for political reasons—and confusion ensued. When Secretary of War, Mr. Davis had sent McClellan to survey the Bay of Samana, in St. Domingo, with the hope of securing a harbor and coaling station in the West Indies for the United States navy. His map and report are now on file in Washington. The work

was so well done that he detailed him to visit St. Petersburg to report upon the military establishments of Russia. In twelve months he submitted exhaustive reports, and also translated a technical work, which is now in the War office in Washington.

HE SPOKE KINDLY

and appreciatively of many Northern generals, saying General Grant was a good man and a great general, who came to the front with the resources of the world at his back when the Confederacy was exhausted; he also spoke in the most kindly way of President Lincoln, who, if his life had been spared, would have been of great service to the South and the whole country.

"Mr. Davis inquired if I was in Richmond during the Seven Days' Battle.

"Yes, I was a member of the Southern Baptist Convention, and remembered hearing the guns, and while we expected the Federal Army any day, there was no bitterness manifested, but special prayers were offered for the enemy and for the protection of the homes and people of the South.

"I asked Mr. Davis if he remembered our conversation about a plan for the

GRADUAL EMANCIPATION OF THE NEGRO.

"Yes, he recollected every detail. He cordially approved of it, and showed the difference between

Faithfully Your Friend.
(Mrs) Jeffrons Davis.

his plan and mine (this was in the autumn of 1864) and requested me to ride down to Drury's Bluff and confer with General Lee. I did so, and found that General Lee heartily approved of the plans. Owing to the danger of riding fourteen miles back to Richmond in the dark, General Lee compelled me to sleep in his tent—a very embarrassing position for me, because he would make me sleep on his cot, while he slept in his blankets on the ground. The matter was submitted to Congress in a special message, and the scheme was defeated, chiefly through Hon. R. M. T. Hunter, of Virginia, on the ground that the withdrawal of so many able-bodied slaves (40,000 at first), who were to be freed upon joining the army, would probably leave the men in the field without provisions. It will be remembered that Captain Harry Jackson offered to raise a regiment of negroes in Georgia to fight for their freedom. I spoke of my embarrassment in accepting General Lee's hospitality. He said Lee was right, as it would have been hazardous to return to Richmond after dark, and mentioned two amusing instances of his being arrested while inspecting the lines near Richmond.

MRS. JEFFERSON DAVIS.

"Mrs. Davis is of Welsh extraction—a Howell, a granddaughter of Governor Howell, of New Jersey, who was a fast friend of Washington. She was

born in Vicksburg about 1826, the daughter of a large planter in the famous Yazoo bottoms. Married Mr. Davis forty-three years ago; they settled the now celebrated Brierfield plantation—a large island in the Mississippi River at Davis Bend, below Vicksburg. The place was so called because of the luxuriant tangle of briers which the rich soil produced. There they built a beautiful home and planted the magnificent live oaks which are now the pride of the neighborhood. Mr. Davis had previously married a daughter of ex-President Zachary Taylor. During my visit we again reviewed our plans of '64 for the gradual emancipation of the negro. I do not know what the future historian may say, for the history of the Confederacy is yet to be written, but I do know that Mr. Davis, General Lee and many other prominent people of the South favored it, and that a bill was introduced in the Confederate Congress to that effect. Mr. Davis kindly, in describing

THE BATTLE OF BUENA VISTA,

said that when they moved out to meet the enemy they were uncertain about his numbers or position. General Taylor had about 1200 men, and they soon ascertained that they were opposed by 8000 of the flower of the Mexican Army, commanded by Santa Anna in person. The situation was perilous. Colonel Davis obtained the consent of General Taylor to

lead his Mississippi Rifles through a ravine, thus flanking the enemy's position, which led to the confusion and rout which finally ensued. He said there was no ill-feeling between him and General Taylor about his first marriage. He married with the general's consent, although the latter could not be present. He mentioned the kindness of ex-President Pierce, who visited him during his confinement in the fort, and who generously offered him a home for life when released. He had a high regard for Mr. Pierce; said he was a very able man, and that his was the only administration in the history of the country during which there was no change in the Cabinet.

"This unstudied memorandum about friends whom I love is written to preserve recollections which even in time may become dim in my memory."

EX-PRESIDENT DAVIS' BIRTH-PLACE.

In November, 1886, ex-President Davis visited Fairview, Ky.,—under what circumstances and for what object the following from the *Kentucky New Era* will show:

"Hon. Jefferson Davis left Clarksville, Tenn., Saturday evening by special train for Elkton, where the party was met by hacks and taken to Mr. W. H. Jesup's. He spent the night with Mr. Jesup, and attended the dedication, the next day, of Bethel

Baptist Church. This building is situated upon the spot where Mr. Davis was born, and the ground was purchased by him last year, and presented to the church for the purpose. The structure is one of the handsomest in Southern Kentucky, and was erected at a cost of over $6000. It is finished in elegant style and seated with opera reclining chairs, and is provided with pastor's study, baptistery, dressing-rooms, and all the modern improvements.

"A finely-polished slab of violet-hued Tennessee marble, set in the wall of the vestibule opposite the memorial window, has this inscription in Roman capitals:

JEFFERSON DAVIS,
OF MISSISSIPPI, WAS BORN JUNE 3, 1808,
ON THE SITE OF THIS CHURCH.
HE MADE A GIFT OF THIS LOT MARCH 10, 1886,
TO BETHEL BAPTIST CHURCH,
AS A THANK-OFFERING TO THE LORD.

"At the hour on Sunday morning appointed for the service the church was crowded, and the distinguished Mr. Davis entered, leaning upon the arm of Mr. Jesup, accompanied by Dr. Strickland, of Nashville, Tenn., Captain Clark, and two or three ladies from Clarksville, Tenn. Dr. Strickland, Dr. Baker and the pastor, E. N. Dicken, occupied the pulpit,

and the former proceeded to preach the dedicatory sermon. It was a discourse eloquent, instructive and appropriate, and was listened to with the closest attention. At the conclusion of Dr. Strickland's discourse Mr. Davis arose and spoke as follows:

"'*Ladies and Gentlemen of the Congregation:* My heart is always filled with gratitude to you, who extend me so many kindnesses. I am thankful I can give you this lot upon which to worship the triune God. It has been asked why I, who am not a Baptist, give this lot to the Baptist Church. I am not a Baptist, but my father, who was a better man than I, was a Baptist.

"'Wherever I go, when I come here I feel "that this is my own, my native land." When I see this beautiful church it refills my heart with thanks. It shows the love you bear your Creator; it shows your capacity for building to your God. The pioneers of this country, as I have learned from history, were men of plain, simple habits, full of energy and imbued with religious principles. They lived in a day before the dawn of sectarian disturbances and sectional strife. In their rude surroundings and teachings, it is no wonder that they learned that God was love. I did not come here to speak. I would not mar with speech of mine the effect of the beautiful sermon to which you have listened. I simply tender to you, through the trustees of Bethel,

the site upon which this church stands. May the God of heaven bless this community forever, and may the Saviour of the world preserve this church to his worship for all time to come.'"

One of the interesting incidents of his life in recent years was the appearance of Mr. Davis at Biloxi, Miss., January 26, 1885, at the reception there of the Liberty Bell, from Philadelphia, on its way to the New Orleans Exposition. When the bell neared Beauvoir, the residence of Mr. Davis, a general desire was expressed to have him join the reception party. In response to a speech of welcome at the depot, Mr. Davis spoke with all his earlier vigor. "The aged statesman grew impassioned, and thrilled his audience with his eloquence. He was cheered vociferously, and seemed deeply moved." It was then that his little granddaughter, five years old, kissed the famous "bell that rung out liberty to all the land," and patted it with her tiny hand as she lisped, "God bless the dear old bell." On the 29th of April, 1886, Mr. Davis spoke at the laying of the corner-stone of a monument to Confederate soldiers at Montgomery, Ala., and was received with great enthusiasm. Since then he has but seldom left his home at Beauvoir.

Ex-President Davis died in New Orleans on the 6th day of December, 1889.

"The handsome residence of Mr. J. U. Payne, at

the corner of First and Camp Streets, is at present an object of interest to every friend of Mr. Jefferson Davis, because it is in the pleasant guest-chamber of this elegant home that the beloved old Confederate chieftain passed away at fifteen minutes before one o'clock this morning. This residence, built by Mr. Payne, is one of the most comfortable and artistic in all the city. It was of brown-stone stucco, two stories high, with broad verandas, and set in lovely grounds, where camellia bushes are spiked with bloom, and oranges hang in clusters on the trees.

THE DEATH CHAMBER.

"The house has a wide hall running through the centre, with drawing-rooms on one side, a library on the other, and on the rear corner of the house is a lovely and cheery apartment, into which the Southern sun streams nearly all day.

"It is a wonderfully pretty room, with a rich-toned Persian-hued carpet on the floor, shades and delicate lace curtains at the four windows—two fronting to the east and two to the south. Pictures are on the walls, and there are a lounge, easy Turkish chairs and pretty carved tables, and a huge carved-oak Victoria bedstead, on which the ex-President of the Confederacy lies in the embrace of death.

MRS. DAVIS' MINISTRATIONS.

"His constant attendant has been Mrs. Davis, who has never left his bedside since his illness began. In a comfortable home wrapper of gray and black this gentle ministrant was always at the invalid's side, and if she left him for a moment he asked for her, and was fretted or uneasy until she returned. Friends constantly sent beautiful flowers, of which Mr. Davis was very fond, but these were not allowed to remain in the sick room for any length of time. At the outset jellies, fruits and all manner of invalids' delicacies were proffered, until Mrs. Davis was compelled to decline them. The sick man's food was only milk, ice, beef tea, and rarely a broiled chop.

"Mr. Davis remained in bed all the time, and was never left alone, being guarded lovingly by his wife and the capable quadroon hired nurse, Lydia, and Mrs. Davis' own little brown-eyed handmaiden, Betty, who at all times had *entree* to the sick-room. But little talking was allowed, and newspapers, letters and telegrams were tabooed.

CLINGING TO HOPE.

"On Wednesday afternoon a reporter had a few moments' conversation with Mrs. Davis. She was worn and weary with service at the sick-bed, but which she would not allow to any other, and her

step was lagging as she came into the dining-room. She was very hopeful, however, of her husband's ultimate recovery.

"'Mr. Davis has always been an exceedingly temperate man,' said Mrs. Davis; 'he has never abused his physical powers, and no one could have lived more moderately than he. Of course, all this is in his favor. I do not mean to say that there would be no danger if a door were left open or the fire in his room allowed to go out. He is as frail as a lily and requires the most attentive care. That he has. I believe he would not be alive to-day had his illness come upon him at Beauvoir, where he could not possibly have had the constant care of such physicians as Dr. Bickham and Dr. Chaille, and the intelligent love, tenderness and luxury that surround him in this home.'

THE PATIENT DESPONDENT.

"From the beginning of his fatal illness Mr. Davis had insisted that his case was nearly or quite hopeless, though the dread of pain or fear of death never appeared to take the slightest hold upon his spirits, which were brave, and even buoyant, from the beginning of his attack.

"In vain did the doctors strive to impress upon him that his health was improving. He steadily insisted that there was no improvement, but, with

Christian resignation, he was content to accept whatever Providence had in store for him. Only once did he waver in his belief that his case showed no improvement, and that was at an early hour yesterday morning, when he playfully remarked to Mr. Payne, 'I am afraid that I shall be compelled to agree with the doctors for once and admit that I am a little better.'

"All day long the favorable symptoms continued, and in the afternoon, as late as four o'clock, Mrs. Davis sent such a cheering message to Mrs. Stamps and Mr. and Mrs. Farrar that they decided, for the first time since Mr. Davis has been taken ill, to attend the French opera.

THE FATAL ATTACK.

"At 6 o'clock last evening, without any assignable cause, Mr. Davis was seized with a congestive chill, which seemed to absolutely crush the vitality out of his already enfeebled body. So weak was Mr. Davis that the violence of the assault soon subsided for lack of vitality upon which to prey. From that moment to the moment of his death the history of his case was that of a gradual sinking. At 7 o'clock Mrs. Davis administered some medicine, but the ex-President declined to receive the whole dose. She urged upon him the necessity of taking the

remainder, but, putting it aside with the gentlest of gestures, he whispered, 'Pray excuse me.'

"These were his last words. Gradually he grew weaker and weaker, but never for an instant seemed to lose consciousness. Lying peacefully upon his bed, and without a trace of pain in his look, he remained for hours. Silently clasping and tenderly caressing his wife's hand, with undaunted Christian spirit he awaited the end.

"From the moment of the dread assault of the congestive chill those gathered around his bedside, who had been watching and noting with painful interest every change of symptom for the past month, knew well that the dread messenger was even at the door. About half-past ten o'clock Associate Justice Fenner went to the French Opera House to call to Mr. Davis' bedside Mr. and Mrs. Farrar and Mrs. Stamps. As soon as the message reached them they hurried to the bedside of the dying ex-President.

BREATHED HIS LIFE AWAY.

"By half-past eleven o'clock there were assembled in the death-chamber Mrs. Davis, Drs. Chaille and Bickham, Associate Justice and Mrs. Fenner, Miss Nannie Smith, grandniece of the dying ex-President, and Mr. and Mrs. E. H. Farrar.

"Finding that Mr. Davis was breathing somewhat

heavily as he lay upon his back, the doctors assisted him to turn upon his right side. With his cheek resting upon his right hand, and with his left hand drooping across his chest, he lay for some fifteen minutes breathing softly, but faintly. More and more feeble came his respirations till they passed into silence, and then the watchers knew that the silver cord had been loosed and the golden bowl broken. The father of the Confederacy had passed away,

"'As calmly as to a night's repose,
Or flowers at set of sun.'

A CRUSHING BLOW.

"Despite the fact that the end had come slowly and peacefully, and after she had been face to face for hours with the dread reality, the blow fell with crushing force upon the afflicted widow. As long as there had been work for either head or hands she had borne up bravely, and not until the sweet uses for her tender ministrations were lost did she seem to realize the terrible force of the blow that had fallen upon her.

"Knowing of a predisposition to heart affection, the doctors were at once gravely alarmed for her. They promptly administered a composing draught, and at a late hour she was resting quietly.

CAUSE OF DEATH.

"It is believed that the foundation of the ex-President's last illness was malaria, complicated with acute bronchitis. Careful nursing and skilled medical attention had mastered the latter, but it is supposed that the congestive chill, which was the immediate cause of death, was attributable to a return of the malaria.

"After death the face of the deceased, though looking slightly emaciated, showed no trace of suffering, more nearly resembling that of a peaceful sleeper than of the dead.

THE EVENT ANNOUNCED.

"When the family had partially recovered from the terrible shock, Mr. Farrar went to the Western Union Telegraph office and sent dispatches to Miss Winnie Davis, who is in Paris, with Mrs. Pulitzer; to Mr. Davis' son-in-law, in Colorado Springs, and also notified Governor Lowry, of Mississippi, as he deemed it but right that the executive of that State should know of the death of one of its most distinguished sons."

"Notwithstanding the early hour at which Mr. Davis died, it was decided by Mr. Farrar, Judge Fenner and Mr. Payne to inform Mayor Shakspeare that President Davis had passed away.

"A written communication of the facts was directed to him and delivered at 3.05 A.M. Mayor Shakspeare visibly showed his emotion at the contents of the letter. He hastily clothed himself and immediately walked to the residence. The chilly fog hung low in dense masses, and faintly defined by the electric lights, familiar shapes along the streets fell in distorted shadows. The house was shrouded in darkness and intense silence. From the trees surrounding the approaches to the dwelling great drops of condensed fog fell with a softly deadened sound upon the earth.

"Mr. Farrar and Mr. Payne received the Mayor in the hallway, and the three rapidly entered the back parlor or dining-room. The Mayor's proclamation was quickly sketched out that it might be published in the morning. *The Times-Democrat* had held its issue back that the Mayor's notification might be given publicity. At 4.10 the proclamation was handed a *Times-Democrat* reporter and was published in yesterday's issue.

"While the proclamation was being written out, Mr. Payne paced the room with hands folded behind him, or restlessly sought an arm-chair to look steadfastly ahead of him at the writers.

"The house then sank into

AN AWED SILENCE,

save the occasional closing of some far-off door, and

the final closing of the great hall door behind the undertaker.

"A heavy piece of black crape was adjusted to the bell knob as Mr. Johnson entered the house. The token was sufficient information, and no line was written to convey that death had paused during the midnight hours in one of the silent rooms. The drip, drip of the fog was the only audible sound down the long streets. It had come in darker than midnight and hung in gloomy clouds overhead, as if a deluge of rain was imminent. Some laborers with dinner pans and overalls, wrapped in red handkerchiefs, were the first to see the crape hanging near the door. Conversation, which had not been loud in tone, was arrested immediately, and they reached out their hands and felt the fabric without speaking. They passed on, maintaining silence.

"Four patrolmen returning from their night's duties saw the emblem and crossed the lower corner of Camp and First streets. They, too, were silenced. So dark was the street at this time that the lights of a private cab were barely distinguishable as it stood at the adjoining house. At daybreak the foot passengers passing near the residence elevated their hats and passed the grounds and house with heads uncovered.

"The sun was at last of sufficient force to dissipate the fog, and while as yet the house was not

astir many ladies began to call as early as 8.10. Callers were frequent from that time on. Many of these

BROUGHT CUT FLOWERS

and several offerings were in large and expensive designs.

"Callers were invariably denied admittance unless closely connected or intimate friends of the bereaved family. Mrs. Davis denied audience, at the solicitations of the family, as often as practicable. Her bereavement was prostrating her, and her friends feared she would overtax her strength.

"By 5.30 o'clock the funeral directors had completed embalming the remains of the dead chieftain, and he was dressed in his suit of Confederate gray, the suit that he had on when he was removed from the steamboat 'Leathers' to the home of Associate Justice Fenner. The body was then laid out in the death-chamber, and Mrs. Davis came in and took her seat beside it. In conversation with members of the household she expressed the desire to be alone with the dead during the day. Her friends tried to impress upon her that she was overtaxing herself, but she insisted, and they gave way.

"It was then announced that no one would be permitted to intrude upon Mrs. Davis, and with very few exceptions no one was permitted to enter the room.

"This rule was first violated at Mrs. Davis' request to admit an old negro who had years ago been

MR. DAVIS' BODY-SERVANT.

"As a result of his gracious dignity, Mr. Davis never came in contact with a menial but that at once they grew devotedly attached to him. More than once have family and friends quizzed him regarding the absorbing love of the porters, servants and slaves that accident threw in his way. Never was a man more loved by those who served him, and this was peculiarly noticeable among the negroes he owned before the war. One of the most affecting incidents connected with the death, was the arrival and grief of this old darky, a former slave of Mr. Davis' brother, the late Joe Davis.

"For a number of years Miles Cooper, a decrepit colored man, has sent from his present home in Florida little tokens in the way of fruits raised by his own hands for the hospitable Beauvoir table. Through the local press Miles heard of Mr. Davis' extreme illness, and, putting every personal interest and comfort aside, hastened to see the master he loved. Unused to traveling, aged and uncertain in his movements, the unselfish servant again and again missed connection in the short trip, was delayed, left behind and put to every possible annoyance and inconvenience. Finally he arrived, and,

full of pleasant anticipations, hurried up to look once more in those kindly eyes and feel the cordial grasp of that genial hand. Reaching the residence, all stilled as it was and surrounded by an atmosphere of death, the servant learned of Mr. Davis' death the night previous. It was

MORE THAN HE COULD BEAR,

and breaking down with an outburst of deep grief, Miles sat crushed and hopeless, only asking the one favor to be admitted to the presence of his master. Every one, save the family, had been denied entrance, but Mr. Farrar, at Mrs. Davis' request, led the way, and soon the ex-slave stood face to face with the noble dead. It was pitiful to hear the sobs and wails of the old darky. He mourned with unaffected grief for the 'Mars Jeff' of his youth, and prayed earnestly for the welfare of those he left behind.

"Betty, a little maid who has been in Mrs. Davis' employ, said to a reporter: 'You are writing a good deal about Mr. Davis, but he deserves it all. He was good to me and the best friend I ever had. After my mother died and I went to live with Mr. and Mrs. Davis, at Beauvoir, he treated me like one of his own family. He would not allow any one to say anything to wound the feelings of a servant.'

"At 4.15 P.M., Sister Mary Baptiste and Sister

Mary Patrenelia, of St. Alphonsus Convent, with a number of young female orphans, begged admittance that they might be able to offer their

PRAYERS FOR THE DECEASED.

Mrs. Davis retired from the room and the Sisters and children knelt by the bier upon which rested the body of the dead statesman. It was clad in plain gray uniform, with black cloth-covered buttons. At his head and resting their tips slightly on each shoulder were two palm leaves, such as marked the caskets of the Christian dead in ages past, to signify that the spirit had been victorious over the body.

"In the angle of the leaf stems was a sheaf of wheat harvested at its fruition. Flanking this was a pillow of roses. Above, the lowered flame of a gas jet flamed faintly. The young faces, unscarred in the world's battles, shone out in strong contrast to that of him whose spirit had so recently gone down into the valley. From the not tightly closed upper lattice of the window the light of the blue evening sky

TOUCHED THE FEATURES OF THE DEAD

with an azure tint and traced the delicate profile lines of the face. Assembled in the room during the devotional exercises were members of the household of subordinate position. The appeals and responses

rose and melted over the mute frame enwrapped in the cloth of his corpse. After the conclusion of the ceremonies the Sisters and orphans immediately withdrew.

THE CASKET.

"At 7.05 P. M., the closed hearse containing the casket drew up at the front gate. It was soon taken within the house, and those gentlemen who were within the rooms assembled on the front gallery. Attracted by the dark conveyance, with its white horse, the loiterers, the curious and not a few who designed visiting the house began to occupy the sidewalks. Early in the day the family had expressed the hope that the removal of Mr. Davis' remains to the City Hall should be unostentatious and with most marked quietude. Seeing the vehicle was collecting the crowd, the undertaker, after performing his duty to the body, had it driven away to return at a later time to carry the corpse to the City Hall. This caused the crowd to disperse, and the streets were comparatively deserted at 9.50 P. M."

ARRANGING FOR THE FUNERAL.

"Many churches held memorial services in honor of Jefferson Davis, principally the Protestant Episcopal, Catholic, Methodist and Presbyterian. Bishop Keener, of the Methodist Church, related anecdotes of the deceased, especially as a visitor to

the annual seashore camp-meeting. Bishop Galleher, of the Protestant Episcopal Church, who was in charge of the funeral, did not preach any sermon. Bishop Hugh Miller Thompson, of Mississippi, assisted him, and Rev. Ebenezer Thompson, of Biloxi, Miss, who was Mr. Davis' pastor, also take a prominent part. Dr. Markham, Presbyterian, Father Hubert, Catholic, and Drs. Bakewell and Martin, Protestant Episcopal, who were all Confederate chaplains, assisted Bishop Galleher. Dr. Bakewell was sergeant of a company and Bishop Galleher himself carried a musket. It was the Bishop's intention to have the services take place on the broad portico of the City Hall. Lafayette Square stretches out in front and many people could then witness the rites. A surpliced choir sang the anthem, "Though I walk through the valley of the shadow of death," by Sir Arthur Sullivan. At the tomb the same choir chanted "Rock of Ages." The body was taken to the cemetery, a distance of about three miles, on a caisson, and the vast procession walked all the way. The parade was of immense proportions. Even the benevolent societies turned out. The sombre drapery of mourning spread over the city. The shipping dipped its flags, the British steamships especially putting their flags at half-mast.

The full programme of parade was decided upon

by Gen. John M. Lynn, the grand marshal. The selection of pall-bearers was left to Mrs. Davis.

Mr. J. U. Payne, a prominent cotton factor and life-long friend of Mr. Davis was one, and the Grand Army Confederate Veterans and the Governors of other States were represented beside the casket. The Army of Northern Virginia and Army of Tennessee Veterans marched side by side just behind the caisson bearing the remains of their lamented chief.

The remains of Mr. Davis lay in state in the council chamber of the City Hall. At midnight Friday they were carried from the Payne mansion to the City Hall. The cortege consisted of the hearse and two carriages. One of the latter was filled with flowers, and the other was occupied by six personal friends of the deceased. The casket was placed upon a catafalque draped in plain black. The coffin was covered with black plush, edged with broad black braid. The handles along the sides consisted of a single square bar of silver, and across each end was a short bar of gold. The top of the casket was covered with one sheet of heavy French plate glass, which extended its entire length, and rested on the thick copper lining.

All day long there was a ceaseless stream of people viewing the remains of Jefferson Davis. Floral offerings have poured in, and the coffin

looked as if placed at the base of a bank of flowers. The Army of Tennessee lead with a design ten feet high, one of the handsomest floral offerings ever made here.

When the doors opened at 10 o'clock fully three thousand people were waiting to enter. The crowd was so great that the people were allowed to pass the bier in double instead of single column, and over three thousand eight hundred people passed every hour. The total was fully forty thousand in one day. The body will remain exposed until the last minute.

A silver plate on the casket bears the inscription, "Jefferson Davis at Rest."

"Badges of the Confederate associations, the flag of the Washington Artillery carried through the war, and a bunch of wheat and pair of crossed Spanish daggers, as the plant is termed, fastened together with purple ribbon, were the only other ornaments. The desks of the mayor and clerks were covered over and turned into a platform, which was the receptacle for floral offerings. The room was lit up by clusters of electric lights, their brilliancy being dimmed by the sable drapery. Soldiers in uniform stood guard, stacks of arms and cannon filled the corners of the chamber, and all around the walls were rows of plants and shrubbery, forming a beautiful contrast.

During the early morning people poured in to obtain a last look at the dead—fifteen hundred people passing each hour. The visitors were filed through the room in regular column. All classes were represented in the procession by the bier. The number of colored people was marked.

FUNERAL.

By universal request Mr. Jefferson Davis was given a funeral in full accord with his superior rank as a military officer, in addition to which, numerous civic and other organizations combined to render the cortege in all respects most imposing, not only with reference to numbers, but in the pomp and circumstance of its elaborate ceremonial. Besides the veterans of the lost cause, who have once again been called upon to close up their decimated ranks, were many gallant soldiers whose unflinching valor, displayed on numerous hotly-contested fields, resulted not unfrequently in both glory and victory to 'the stars and stripes.'

SCENE AT THE CITY HALL.

At 11.30 o'clock the funeral ceremonies were to be commenced, but long previous to that time the great square immediately fronting the City Hall had become an unwieldy mass of eager, sympathetic humanity. According to programme the square

proper was to be reserved exclusively for the military. In the enforcement of this injunction, however, the large, but by no means adequate, police force on duty, experienced innumerable obstacles, and it was with the greatest difficulty that the swaying multitude was kept beyond the prescribed environments. The streets, banquettes and every available place from which either an unobstructed or partial view could be had of the portico of the municipal building, were crowded almost to suffocation. During all this time the air was laden with funeral dirges, the solemn requiem of the bells was heard on every hand, and louder and deeper were the sounds of minute guns that at intervals thundered forth their deep-mouthed tribute to the illustrious dead.

THE PALL-BEARERS.

The following gentlemen acted as pall-bearers:

Honorary Pall-bearers—Governor Francis T. Nicholls, of Louisiana; Governor Robert Lowry, of Mississippi; Governor S. B. Buckner, of Kentucky; Governor John B. Gordon, of Georgia; Governor J. S. Richardson, of South Carolina; Governor D. G. Fowle, of North Carolina; Governor F. P. Fleming, of Florida; Governor James P. Eagle, of Arkansas.

These gentlemen represent the Southern States pall-bearers—General George W. Jones, of Iowa; Hon. Charles E. Fenner, of Louisiana; Mr. Sawyer

Hayward, of Mississippi; Hon. Thomas H. Watts, of Alabama, a member of President Davis' cabinet.

APPEARANCE OF THE REMAINS.

The body, notwithstanding the very warm and exceptionally oppressive weather of the past week, was remarkably well-preserved. The countenance presented an expression of 'rapturous repose,' and in no wise had 'decay's defacing fingers' yet blotted out, much less tarnished in the remotest degree, the noble lines of a face strikingly attractive when lighted by the fire of genius, as it was wont to be. Indeed the Confederacy's beloved chieftain, as he reposed in his coffin this morning, presented just such a picture as those who knew and loved him in life would like best to cherish in their memory.

At 12.10 the casket was conveyed from the memorial room to an improvised catafalque in the centre of the front portico, where massive pillars were entwined with a profusion of crape. Over the casket was thrown the soft folds of a silken flag of the lost cause, as also the glittering sabre with which the dead soldier had carved fame and honor for himself, and glory and victory for his country, on the crimson fields of Chapultepec and Monterey. Immediately surrounding the coffin were the clergy and the armed sentries, they being the only persons admitted to a place on the portico during the service.

MR. DAVIS PREPARED FOR BURIAL.

The relatives of the deceased were assigned to seats in the mayor's parlor, from the windows of which they were enabled to witness the ceremonies.

THE SERVICES.

The obsequies, which were according to the ritual of the Episcopal Church, were conducted by Bishop Galleher, assisted by five officiating clergymen of various denominations, as follows: Father Hubert, Rev. Mr. Thompson, Mr. Davis' rector at Biloxi, Miss.; Rev. Dr. Markham, Rev. Mr. Bakewell and Rev. Mr. Martin.

There were altogether fully twenty surpliced ministers, besides the attendance of numerous clergy of different denominations from the various Southern States. A surpliced choir of thirty-six voices, accompanied by the organ, sang the anthem, 'Through the Valley of the Shadow of Death.'

BISHOP GALLEHER'S ADDRESS.

"Bishop Galleher made an address. He said: 'When we utter our prayers to-day for those who are distressed in mind, when we lift our petitions to the Most Merciful and ask a benediction on the desolate, we remember that one household above others is bitterly bereaved and that hearts closely knitted to our own are deeply distressed; for the master of Beauvoir lies dead under the drooping flag of the saddened city; the light of his dwelling has gone

out and left it lonely for all days to come. Surely we grieve with those who weep the tender tears of homely pain and trouble, and there is not a sign of the gulf breeze that swings the swinging moss on the cypress trees sheltering their home but finds an answer in our own burdened breathing. We recall with sweet sympathy the wifely woe that can be measured only by the sacred depths of wifely devotion, and our hearts go traveling across the heaving Atlantic seas to meet and to comfort, if we might, the child who, coming home, shall for once not be able to bring all the sweet splendors of the sunshine with her. Let us bend with the stricken household and pay the tribute of our tears; and then, acknowledging the stress and surge of a people's sorrow, say that the stately tree of our Southern wood, planted in power, nourished in kindly dews, branching in brave luxuriance and scarred by many storms, lies uprooted. The end of a long and lofty life has come, and a moving volume of human history has been closed and clasped. The strange and sudden dignity of death has been added to the fine and resolute dignity of living. A man who in his person and history symbolized the solemn convictions and tragic fortunes of millions of men cannot pass into the gloom that gathers around a grave without sign or token from the surcharged bosoms of those he leaves behind, and when Jefferson Davis, reaching

'the very seamark of his utmost sail,' goes to his God, not even the most ignoble can chide the majestic mourning, the sorrowing honors of a last 'salute.'

"'I am not here to stir by a breath the embers of a settled strife; to speak one word unworthy of him and of the hour; what is writ is writ in the world's memory and in the books of God. But I am here to say for our help and inspiration that this man, as a Christian and a churchman, was a lover of all high and righteous things; as a citizen, was fashioned in the old, faithful type; as a soldier, was marked and fitted for more than fame—the Lord God having set on him the seal of the liberty of men. Gracious and gentle, even to the lowliest, nay, especially to them; tender as he was brave, he deserved to win all the love that followed him. Fearless and unselfish, he could not well escape the lifelong conflict to which he was committed. Greatly and strangely misconceived, he bore injustice with the calmness befitting his place. He suffered many and grievous wrongs, suffered most for the sake of others, and those others will remember him and his unflinching fidelity with deepening gratitude while the Potomac seeks the Chesapeake or the Mississippi sweeps by Brierfield on its way to the Mexican sea. When on the December midnight the worn warrior joined the ranks of the patient and prevailing ones who—

'"Loved their land with love far brought,
If one of the mighty dead gave the challenge:
Art thou of us?
He answered: 'I am here.'"'

REVERENTIAL SILENCE.

Following Bishop Galleher, the Rev. Dr. Markham read the lesson, while the Rev. Mr. Martin repeated a Psalm, the Rev. Mr. Bakewell the versicles, and the Rev. Thompson the Creed, and thus ended the services at the City Hall, which, although simple and brief, were wonderfully impressive.

During this period the immense throng, representing every conceivable variety of religious and social predilection, profession and nationality, stood in reverential silence and with heads uncovered. A deep silence pervaded the vast assembly and the emotions experienced by all were deep and unutterable.

THE PROCESSION.

At the conclusion of the religious services the casket was borne by a detachment of soldiers to the handsomely decorated caisson which had been especially prepared for its reception, and on which it was to be conveyed to the cemetery. From the caisson arose a catafalque consisting of a unique and beautifully designed canopy, measuring from base to dome eight feet in length and four in width, and supported by six bronze cannon, craped in between

with muskets. The dome of the canopy was ornamented in bronze, with furled United States flags craped upon either side. The sides of the catafalque were superbly draped in black cloth with bullion fringes and gimp. The casket rested on a slight elevation and the caisson was drawn by six black horses, two abreast, caparisoned in artillery harness and plumes, and each animal led by a soldier in uniform.

With marvelous military precision the various seemingly unwieldy battalions wheeled into line, preceded by a detachment of the city police, and followed in turn by the clergy, pall-bearers, and so on in their respective order until the mammoth procession was formed.

The procession, after leaving the City Hall, proceeded up St. Charles Street to Calliope, and from Calliope moved into Camp, thence to Chartres, to St. Louis, to Royal, and thence on Canal in a direct route to the cemetery.

It was an hour and ten minutes passing a given point.

TOLLING BELLS.

As the grand funeral cortege traversed the streets, from the turrets of every church a bell was tolled. The clank of sabres and the tramp of iron-shod feet echoed along the interminable line, while soul-subduing dirges blended with the solemn boom-

ing of the minute-guns. Parts of the city not directly located in the line of march or in any way remote from the scene of the pageant were literally depopulated, their inhabitants having gathered in countless numbers on the banquettes and in other available places from which an easy view of the marching columns could be had.

AT THE CEMETERY.

The entry of the pageant into the beautiful cemetery away out on the quiet Metairie Ridge, far from the thunder and clatter and turmoil of the busy, rushing, work-a-day city life, was made with all the pomp and circumstance of a military and civic procession.

Even before noon, when the religious ceremonies were just beginning, people gathered within the hallowed precincts of the romantic burying-ground. They came in street cars, in trains, in carriages, in vehicles of every known description and on foot, and took up a position on the tombs and broad walks and on the scrupulously well-kept lawn.

Metairie is the prettiest cemetery in the South. It ranks in beauty with the handsomest burial-grounds of the world. It is situated about two miles and a half from the business part of the city, and is rich in its architecture, its verdure and its possessions. Years ago it was the famous race-

course of the South. Some years back it was transformed into a city of the dead. Since then nature and man have constantly aided in its adornment. Within it lie the remains of thousands of Confederate veterans, and here are most of the tombs of the military and veteran associations of New Orleans.

It is in this cemetery, in a subterranean vault, that the Southern chieftain has been temporarily laid to rest. The Army of Northern Virginia tomb is beneath the marble monument of the lamented Confederate leader, Stonewall Jackson. It is situated nearly half a mile from the stone entrance, nearly in the centre of the cemetery, and surrounded by imposing tombs of wealthy people of New Orleans. The mound is of gradual ascent, prettily laid out in parterres and richly grown with rare flowers. From a sectional stone base a slender shaft, broken with laurel wreaths, rises to commanding heights. At its apex a heavy slab of marble bears the statue of Jackson. The figure represents the famous general in an attitude of repose, his sword leaning on a broken stone wall, and his left hand resting gracefully on his side. He wears the regular Confederate officers' uniform, with his cloak thrown over his arm and his field-glasses held carelessly in his left hand. The familiar kepi is pulled down, as the general was wont to wear it, closely over his forehead. The face looks toward the southeast, and the features are

almost perfect in their outline. Beneath the base is an underground chamber with vaults running all around it. It was in one of these that the remains of Mr. Davis were placed.

The monument was decorated with extreme simplicity. The mound was covered entirely with green moss, and around the shaft was wound a chain of laurel and oak leaves. The decorations were the work of Mr. J. H. Menard. When the procession left the City Hall big furniture wagons drove up, and the mortuary chamber was emptied of its hundreds of floral offerings that came from every city and State in the South, and they were taken out to the cemetery. Here an artistic hand came into play, and the flowers were arranged with studied unostentation and most admirable effect, the mound being almost entirely hidden from view by the wealth of culture flowers.

THE FINAL CEREMONIES.

When the progress of the procession finally brought the militia to the monument, the police and soldiers were drawn up all around the circle, and as the funeral car, with its long line of carriages in the wake, drew up, the line of soldiers facing the monument were given right-about orders, in order to salute the bier. It was then four o'clock. The choristers had preceded the funeral, and took up

position in a group to the left of the tomb. Then the Episcopal clergymen and the assisting clergy of other denominations, formed in a line on either side of the walk. The pall-bearers and distinguished guests did the same thing. Bishops Galleher and Hugh Miller Thompson walked slowly up to the base and took up their positions beside the bier. General Gordon came up shortly and stood quietly and modestly, with bowed head, close by.

The caisson stopped at the foot of the walk, and Battery B's detail of honor bore the casket up the ascent to the foot of the monument, with Captain Beanham at its head. As the coffin was carried up the mound, the military orders were 'Rest on arms,' and every soldier in the circle executed the order. The veteran associations marched into the cemetery together. When they reached the monument they parted, one going to the left, the other to the right. When they met they charged up the mound and formed an inner circle, the Army of Northern Virginia in front and the Army of Tennessee in the rear. Then the ladies and gentlemen of the family trod slowly up the mound. Mrs. Davis, heavily draped, leaned on the arm of the life-long friend of her husband, Mr. J. U. Payne, as she came up beside the bier. Mrs. Hayes came up on the arm of General Joseph R. Davis, a nephew of the dead President. Behind these came the faithful negro

body-servant of Mr. Davis, Robert Brown. Mrs. Stamps was escorted by Mr. Farrar. Then followed other members of the family. · Associate-Justice Fenner and his family came next, and immediate friends of Mr. and Mrs. Davis gathered around just as Bishop Thompson opened the ceremonies by reading the first portion of the Episcopal burial service. Then T. H. Sappington, of Company B, 19th Infantry, stationed at Mt. Vernon barrack, Ala., sounded the bugle call of "Taps." Bishop Galleher read the second portion of the ritual consigning the body to the grave. Here are his extemporaneous words: "In the name of God, Amen. We here consign the body of Jefferson Davis, a servant of his State and country, and a soldier in their armies; some time member of Congress and Senator from Mississippi, and Secretary of War of the United States; the first and only President of the Confederate States of America; born in Kentucky on the 3d of June, 1808, died in Louisiana on the 6th of December, 1889, and buried here by the reverent hands of his people."

An anthem by W. H. Walter, part of the burial service, was sung by the choristers to a cornet accompaniment. Bishop Thompson recited the Lord's Prayer, in which the choir, the clergy and the general public joined, and then the hymn "Rock of Ages" was rendered, and the religious services were over.

IN THE TOMB.

Bishop Galleher waved his hand as the signal of the closing. Captain Beanham gave the military command, the casket was raised from its bier, and the soldiers bearing it on their shoulders marched around the circular mound to the open doorway at the back of the monument leading to the stairway that reaches the subterranean chamber of the dead. The family took up its line in the order of its ascent of the mound, friends following. The Ladies' Memorial Association fell in, and Governor Nicholls and the other Governors joined in with the other pall-bearers. When the members of the family had descended, the casket was placed in the middle vault of the first perpendicular row, immediately on the right as you go down. The Confederate flag in which the coffin had been wrapped was removed, the slab was screwed tight, and the dead soldier had found his temporary resting place in the Army of Northern Virginia tomb.

As the family descended an artillery detachment from the State Guard, Captain Beanham's Battery, fired three rounds, and the military funeral was over.

There were placed before the vault three floral offerings—one a design of a chair, from the Lee Memorial Association; another, "Gates Ajar," from

Mr. P. F. Alba, of Mobile, and the third, a cross of flowers, from the Girls' High School.

As Mr. Payne and Mrs. Davis, both weeping, and the other relatives and close friends came up from the chamber and passed down to the carriages the troops presented arms. Then the Governors, the pall-bearers, guests from other States, the Ladies' Memorial Association, and finally the public, crowded down into the still, cold, whitewashed room below, and gazed a moment on the narrow chamber wherein all that was mortal of the beloved Southern chieftain was lying in peace and quiet, removed forever from its sphere in life. A police guard of honor will be on duty at the tomb.

Ex-President Davis' funeral occurred in New Orleans on Wednesday, December 11, 1889. The occasion is thus editorially described by the *Times-Democrat* of that city:

Magnificent in its immensity and sublime in its sadness was the mournful cortege that yesterday bore to the tomb all that was mortal of Jefferson Davis.

As the long line of sorrow-stricken faces slowly moved through the streets, the minds of the old-time soldiers seemed to wander back to the days when the Cause that enwrapped the Southern heart was not lost, and victory held her hands outstretched to the valiant hosts of the Confederacy.

It was a grand, an imposing, a historic funeral pageant. No man now living will look upon its like again. It is the snapping of the last great human link in the chain that binds the memory of the South to the volcanic past. Jefferson Davis rests to-day in the grave to which Providence in its wisdom consigned him, rich in honors, ripe in the love of his people, enshrined in the affection of all who treasure that liberty which comes from God on high.

Many millions of people buried yesterday their best beloved. And yet in the eyes of the law he was not one of them. A man without a country, living under a government that knew him not, solitary and alone in his unique grandeur, the hero of the Lost Cause, Kossuth-like, refused to bend the pregnant hinges of the knee that civic glory and power and greatness might wait upon him. Jefferson Davis lived and moved and had his being, not upon the stage of men's affairs, but within the recesses. of the human heart—the great common heart of the South. There, in the warm embrace of his own people, he passed the closing days of his well-spent life, and there he died. No death could so well befit so great a man!

Great in its numbers, the mournful procession that yesterday bore Jefferson Davis to the grave was greater still in the loftiness of its character, its ripe

wisdom and its civic fame and virtue. Men illustrious in every walk of life were there. Prelates eminent and eloquent; statesmen with popular honors heaped full measure upon them; learned jurists, rich in knowledge; representatives of nations great and powerful abroad; the veterans who wore the gray; the men who wore the blue; the mystic brotherhoods; civil, religious and benevolent organizations; our colleges and schools; the fire boys—all moved with solemn tread to the beautiful city of the dead where rests this morning the body of the hero of the Lost Cause.

It was a spectacle grandly sad, mournfully eloquent—the burial of Jefferson Davis. In the cold embrace of earth lies now the South's greatest, noblest, best."

The solemn and imposing pageant won universal commendation for the splendid simplicity of its ensemble, for the perfect arrangement of all its details, and for its grand and majestic proportions.

For the last-mentioned feature of its excellence New Orleans claims no credit. It was a mighty assembling of the Southern people. Half a score of great States contributed their splendid soldiery and their civilian citizens, who gathered as if they were mere members of a vast family around the grave of their beloved dead. But it is in the creation and

control of a grand street pageant that New Orleans is pre-eminent, and to the large experience, the admirable taste, the unerring art instinct and the lavish liberality of the people of our good city, are wholly due the splendor, the beauty and the perfection of arrangement that have made the funeral of Jefferson Davis one of the most notable events of the age. It was most fortunate for the entire South that Providence ordained that the last days of the life of that illustrious man were spent in the great city of his devoted people.

A QUESTION IN CONCLUSION.

Shall Jefferson Davis dead be as heartily hated and as mercilessly abused as was Jefferson Davis alive? "He had his faults." So had Lincoln and Grant. So had the immortal Washington himself. Much of the reproach cast upon Mr. Davis has grown out of a failure to give due recognition to the following facts:

1. He was not responsible for the beginning or the continuation of the war. It is true he advocated armed resistance if the General Government undertook to interfere with the States that passed ordinances of secession. But so did hundreds of public men throughout the South, whose views were entirely independent of what he had ever declared or taught. And if we leave the ranks of public men and come

to men in private station, we find that they were of the same mind. Indeed, whether the truth be looked upon as creditable or dishonoring to the South, let it be told—the movement of the Southern people in the years from 1860 to 1865 as much deserves to be called a great popular uprising as any movement that ever occurred among any people. Say, if you choose, they were deceived, but say they were self-deceived. Jefferson Davis was able, was courageous, was determined, was fruitful in expedients of statecraft and of war, and yet Fort Sumter, and Manassas, and Fredericksburg, and Gettysburg, and Cold Harbor would have occurred if he had never been born.

2. Was Jefferson Davis a traitor? The Federal Government had him in its power; he was arraigned on this charge before one of its courts; the Government had every opportunity of gathering the law and facts against him, and yet it declined even to undertake to prove the accusation made. Ought not this fact of history to make us a little modest in trying to fasten on his name the stigma of treason?

3. The armies directed by Jefferson Davis, whatever else may be said of them, were not armies of invasion or conquest, but stood only for defence, and represented a people that simply asked to be let alone.

4. Jefferson Davis was consistent and sincere; his

course as naturally followed from the theories long held and publicly advocated by him as the course of Jefferson, Henry and Adams flowed from their views concerning the relations of the colony to the mother-country. Had Jefferson Davis adhered to the Union after Mississippi had passed her secession act, historians, with the records before them, would have found no little difficulty in vindicating his reputation from crookedness and time-serving.

5. "But slavery was such a horrible crime." Say so, if you choose; but, as you say so, remember that for the existence of this horrible crime on Anglo-American shores the South was no more responsible than the North. Southerners bought the negroes and worked them on their plantations, but Northerners transported them from African jungles and sold them to all that were willing to buy. Even the large-hearted Peter Faneuil, who built the famous hall called by his name, fitted out ships for the slave-trade; and it is not impossible that some of the money that first went to construct that "cradle" in which Bostonians were to rock "Liberty" in its infant days, came from the traffic. The only real difference seems to be, that the North, under self-interest as a teacher, a little sooner learned than the South that slavery was a great moral wrong.

6. "Slavery was so degrading to the negroes." Say that if you feel it is true; but let your empha-

sis be a little diminished when it is found that, though the colored people do not occupy a very high social, intellectual or religious plane, yet in the Southern States they have attained a higher development in intelligence and religion than a like number has reached in any other quarter of the globe.

7. "The Union never could have been formed if it had been supposed that any State might withdraw from it at pleasure." On the other hand, can it be supposed that any State—Virginia, for example—would have adopted the Federal Constitution and gone into the Union if she had imagined that in so doing she would be giving to her sister States the right to invade her soil, to divide her territory, to devastate her fields, to overturn her government, to bombard her towns and to slay her sons?

The fact that the Federal Government, in dealing with the seceded States, found it impossible to lay down and follow out to the end any consistent policy, gives at least a suggestion that the Federal Constitution did not very clearly lay down the principle of coercion. First, the seceded States were not out of the Union, and could not go out; then, at last, they could go out and were out, and must be brought back by "reconstruction" measures. First, the Federal Government had no right and no intention to interfere with slavery, but only to maintain the Union; but at last its armies were

"armies of freedom," its battles were "battles of freedom," and its victories were "victories of freedom."

In short, let North and South do justice to each other. Then good will and fraternity will come back, and no Southerner will be tempted any longer to give a spiteful application to that verse of Dryden,

"But they ne'er pardon who have done the wrong."

REMINISCENCES AND ADDRESSES.

A TRIBUTE FROM A CLASSMATE.

BY GENERAL GEORGE W. JONES,
Ex-United States Senator.

MR. DAVIS and I became college mates in Transylvania University, in Lexington, Kentucky, in the month of October, 1821. He remained there until 1823, when he went to the West Point Military Academy, N. Y. I remained at the university, and graduated there on the 13th of July, 1825. He was graduated from the United States Military Academy in the spring of 1828, and immediately assigned to duty as a second lieutenant of infantry at Fort Crawford, Prairie du Chien (then Michigan Territory, now in the State of Wisconsin). At that time I was engaged in the mining and smelting of lead ore (galena), merchandising and farming business at Sinsinawa Mound (now in Grant County, Wisconsin), then in the Territory of Michigan. I went into this business at the suggestion of Doctor Lewis F. Linn, of Ste. Genevieve, Mo., who was my family physician there whilst I was reading law in the office of Messrs. Scott & Allen, of that place. Doctor Linn advised me to leave the law office and confinement as the only means of restoring my health, which had been greatly impaired by constant

application in college and as a law student for five or six years or more.

In the summer of 1828, whilst engaged at Sinsinawa Mound in the avocations referred to, Jefferson Davis came to my log cabin one night, accompanied by an orderly sergeant, and inquired whether Mr. Jones resided there, and upon being informed (it being in the night), asked whether he could be accommodated with a night's lodging. I replied that he could, but that his fare would be very poor, as I had no other bed than a very small bunk in one corner of my cabin. I could, however, give him some buffalo robes and blankets, and that, having no stable, his horses could be hobbled out as my own horse was. He asked me if I had ever been to Transylvania University. I replied that I had. I had before that inquired "Where he was going and where he was from." "To Fort Crawford," he said, "and from Galena." I said, "You are twelve miles off your road, and there is no road from here to Prairie du Chien." He asked me if I recollected a college boy at Lexington by the name of Jeff. Davis. I responded that I could never forget that dear friend. He said, "I am Jeff." I sprang from my door into the dark and drew him from his horse. He had come out expressly to visit me. We talked nearly all night of our college-boy days, and he remained with me several days. Often, during the

summer and fall, he made me delightful visits. He informed me of his course, etc., at West Point, and I related mine at Lexington after he left there in 1823. I told him of my loss of health and of the advice of Dr. Linn that I should quit the law office, high living and a sedentary life, and go to hard work, coarse food, exercise in the open air and on horseback, etc., etc., as the only means of regaining my health and of getting Josephine Gregoire for my wife, as I did on the 7th day of January next thereafter at Ste. Genevieve, Mo. I told dear Jeff. of how I had built those two seventeen feet square log cabins in two days from the standing trees, carrying up two corners thereof myself, putting on the clap-board roofs, the pine-plank unplaned floor, the batten door, and one eight by ten twelve-light window, the counter and shelves, etc., of pine plank which I had brought from Ste. Genevieve, Mo.; that being the first work at carpentering that I had ever done, but that I was a natural-born mechanic, musician and dancer. Strictly following out Dr. Linn's advice, given me at Ste. Genevieve, Mo., in the spring of 1827, had restored me to health and vigor, as I have never since been confined *one day*, though I am now upwards of eighty-seven years old.

Jefferson Davis was considered at Transylvania University, whilst he remained there with me, the most active, intelligent and splendid-looking young

man in the College, although he had, as college mates, such young gentlemen as Gustavus A. Henry—the afterwards Eagle Orator of the South, Edward A. Hannegan, the Indiana statesman and orator, and such other distinguished men in after years as Hon. John M. Bass, the distinguished son-in-law of Felix Grundy, of Nashville, Tenn., Hon. Jno. W. Tibbatts, the Moreheads, Jesse D. Bright, David R. Atchison, Solomon W. Downs and many others of like distinction with whom Davis and I served as brother Congressmen in both Houses in after years, and up to the Civil War of 1861–65.

After I became a married man and built a much better dwelling-house at Sinsinawa Mound, Mr. Davis very often visited me there and became as a member of my family, and greatly attached to and beloved by my wife, children, adopted children, my brother-in-law, A. L. Gregoire, my two nieces, Misses Mary and Eliza Brady—afterwards the wives of Jacob Wyeth, M.D., and Col. Geo. W. Campbell, of Galena, Ill., the latter a Federal officer in 1861–65.

I served as General Henry Dodge's aide-de-camp during the Black Hawk War of 1832, whilst Jefferson Davis was a lieutenant in the same campaign, under the then Colonel Zachary Taylor, President of the United States from the 4th of March, 1849, until he died, in July of that year. General W. S.

Harney, then a captain, was in the same command with us. He, Colonel Taylor and Jefferson Davis often shared their tents with me in bad weather and divided their rations also with me, we of the militia having no tents whatever, and were often without bread. I had been well acquainted with Colonel Taylor and Captain Harney in the city of St. Louis, Mo., as early as 1824. Hence, my intimacy and the sharer of their kindness and Davis' in the Indian War with the Sacs and Foxes, Winnebagoes, etc.

After the war and the treaty with the Sacs and Foxes, made by General Winfield Scott and General Henry Dodge, a short distance above the present city of Davenport, Ia., which I myself attended and participated in making, with Keokuk and other chiefs, and when Black Hawk was deposed, the lead miners of Illinois, Wisconsin, then Michigan Territory, *et al.*, such as the Langworthies, the Camps, the Dodges, Harrisons, Wheelers, Foleys, Smiths, Lorimers, Gratiots, Jordans, McKnights, Lorains, Brophys, Carrolls, etc., etc., flocked in great numbers over the river to the near vicinity of Julien Dubuque's deserted lead mines, at and near Catico and the present city of Dubuque, and took possession thereof, as squatters, miners, merchants, artisans, etc., etc. As soon as the same was made known to the administration of the then President

of the United States, General Andrew Jackson, his Secretary of War, Hon. John Forsyth, issued orders to Colonel Zachary Taylor, then in command at Fort Crawford, to have those intruders, *the squatters*, removed therefrom. Colonel Taylor immediately dispatched Lieutenant George Wilson, then of his command, with what was deemed a sufficient number of United States infantry to the Dubuque lead mines, to drive from them the squatters at the point of the bayonet, if necessary. The squatters laughed at the order, and soon afterwards Lieutenant Gardineer was sent down with an increased number of troops, to effect what Lieutenant Wilson had failed to do. Lieutenant Gardineer was as unsuccessful as Wilson had been, although he (Gardineer) destroyed many cabins and miners' huts, their wagons, teams, etc. Colonel Taylor, then, having great confidence in Lieutenant Jefferson Davis, sent him down from Fort Crawford with an increased number of infantry troops to perform the duty in the very cold mid-winter and deep snow, in 1832 and 1833. Lieutenant Davis encamped with his command a very few yards north of the present tunnel and the now great Iron Bridge of the Illinois Central Railroad, on the east side of the river, in what is now known as *East Dubuque*, formerly and then as Jordan's Ferry, in Jo Daviess County, Ill. Mr. Davis immediately went in person across the river

and commenced a very different course of action to that which had been pursued by his predecessors, Gardineer and Wilson, without any of his command, save, perhaps, an orderly-sergeant, and commenced to reason with the intruders upon what were *yet* Indian lands, as the treaty made by Generals Scott, Dodge, *et al.*, had not been ratified by the Senate of the United States, if, indeed, it had been sent into that body for its ratification and approval. He was not very long in convincing such men as the Langworthy family, Colonel H. T. Camp, the Hampsteads, Lorimers and others, of the folly of resisting the strong Army of the Government of the United States. He found considerable trouble, however, in convincing two Irish brothers by the name of Harrison, who had struck, what they believed to be, a splendid prospect, if not a great lead, of the precious ore. He assured them that their claim to the mining lot of some ten acres, from which they had already raised some fifty to seventy-five thousand pounds of ore, should be respected and retained for them by the then Agent of the United States Lead Mines, at Galena, Ill.—Major Thos. C. Legate, of the United States Army, who was his (Davis') personal friend. His conciliatory course with those squatters convinced them that "discretion was the better part of valor," and great numbers of miners, smelters, store-keepers, teamsters, laborers, etc., deter-

mined to leave the country *en masse*, and await the action of the Congress of the United States, or rather the Senate of the United States.

The Harrisons and all others, after the treaty was ratified, were restored to their possessions, and they all, *without exception*, became the warm friends and admirers of Jefferson Davis. I myself bought that prospect of the Harrisons and paid them ten thousand dollars in gold for their claim, which has ever since been known as the Harrison *alias* Kilbourn Lead, now the Karrick and wholly owned by myself at this late day, though it has passed through the hands of Captain Geo. Ord Karrick, Benjamin Kilbourn, Alexander Levi, Geo. W. Starr, Colonel Mason, the original Chief Engineer of the Illinois Central Railroad, and is *now* wholly owned by myself, as the successor of the above-named and other persons.

I was about to omit that there was but one woman amongst the squatters when Lieutenant Davis induced the whole community, save her, to leave those mines in the cold winter of 1832–33. That woman was the late Mrs. Lawrence, then bearing the name of her first husband. Mr. Davis, because of the extreme severity of the winter, permitted her to continue to occupy her log cabin. She remained during the residue of her life, the devoted and grateful friend of Jefferson Davis. She was a strict member

of the Methodist Episcopal Church at Dubuque, and died there only some twelve months since, beloved by all who knew her. She never met me that she did not inquire for our mutual friend, Lieutenant Davis. I called to see her but a very few days before her death, when, on her dying-bed, she sent her warmest regards to and best wishes for our absent friend; although, like the members of her church in Iowa, generally, she was for the Union, and opposed to secession, as I myself was. But she believed Mr. Davis to be an honest man and a true friend to the whole country, whether he was for secession or not.

Soon after the Black Hawk War of 1832, Mr. Davis became the Adjutant of the First Regiment of United States Cavalry, whose heroic and noble commander was General Henry Dodge, whose aide-de-camp I was in that war. He and General Dodge became friends and admirers of each other during that campaign, if, indeed, they were not personal friends at Dodgeville and Mineral Point, in Wisconsin, *before* that Black Hawk War. Their association in the Indian War, and as brother officers of the Cavalry Corps of Dragoons, in both Houses of Congress and whilst Mr. Davis was Secretary of War, under General Franklin Pierce, President of the United States, from the 4th of March, 1853, until the 4th of March, 1857, and afterwards in and out

of Congress, caused the formation of an intimacy, friendship and confidence between those great and good men and patriots, which I well know continued to exist whilst they both lived. I speak understandingly on this point, because I was General Dodge's admirer and friend from my childhood, both of us having been born at Vincennes, Indiana, and we having lived together at Ste. Genevieve, Mo., where I was Clerk of the District Court of the United States, whilst General Dodge was the Marshal of the United States for Missouri, and also, because of our intimacy and devoted friendship in Wisconsin, and also in the Senate of the United States. General Dodge, as the Senator in Congress from Wisconsin, felt bound to obey the instructions of his Legislature on the subject of abolitionism, the Missouri Compromise and other like questions. Mr. Davis and I often voted against him on these questions; but as we were all three Democrats, the intercourse and friendship which had always existed between us was never, for *one* moment, interrupted, and I know that General Dodge died the warm admirer and friend of Mr. Davis, and, like myself, would have sustained him for any political or military position in the United States *after*, as well as *before* the late unfortunate Civil War. And such do I firmly believe was the opinion and feeling of General Augustus C. Dodge, the son of General Henry Dodge, who, as a

private, served under his father in the Black Hawk War, where he, too, formed the friendship and confidence of Jefferson Davis, which existed whilst we were brother United States Senators and warm supporters of the administration of President Pierce, who sent him as the representative of the United States to Spain, at the court at Madrid, where he occupied an exalted position as the Minister of the United States. I refer thus particularly to the opinions and feelings of these two life-long personal and political friends, because I know that they, like myself and all others who knew Jefferson Davis well, were always aware of the great injustice and wrong which has been done to that hero, statesman and patriot, ever since the inauguration of the late Civil War, which he lamented as sincerely as any man, living or dead, and which he earnestly endeavored to prevent in every honest and patriotic manner consistent with his position as a Southern man. I firmly believe that the future historian will do justice to him and his section, when the "sober second thought shall prevail" in our beloved country.

But since the termination of the late inter-state war, all sorts of slander, detraction and ridiculous reports and stories have been fulminated, printed, published and scattered broad-cast over the land to injure the fair fame and good name of Mr. Davis. Amongst other ridiculous creations it has been pub-

lished and circulated through the newspapers that Mr. Davis stole away in the night-time, from his residence in Prairie du Chien, the daughter of Colonel Zachary Taylor, and that he took her across the Mississippi River into Iowa, and that they were there married by a Catholic priest, whom Mr. Davis had induced to aid him in his nefarious scheme. The fact is, as I well know, that Mr. Davis married Miss Knox Taylor near Louisville, Ky., in the residence of a near blood relation (her aunt) and with the entire and full consent of every member of Colonel Taylor's family. Colonel Hercules L. Dousman, of Prairie du Chien, who was an intimate and confidential friend of both Colonel Taylor and Mr. Davis, and always one of my earnest supporters in all of my contests for delegate to Congress from Michigan, Wisconsin and Iowa, assured me that Colonel Taylor never was unfriendly to Mr. Davis, either before or after his marriage to Miss Taylor, and that he made no objection to it. After Mr. Davis' appointment as Adjutant of the First Regiment of United States Cavalry under my old commander and life-long friend, General Dodge, I never met with him until in the early winter of 1837–38, when he reached Washington City from the city of Havana, in Cuba, whither he had been for the restoration of his health, which had become greatly impaired on his farm or plantation in Mississippi. He called on me at my

then boarding-house, at Dowson's, on Capital Hill, some 150 or 200 yards northeast of the present Senate Chamber, where I messed with Senator Benton and Doctor Linn of Mo. Wm. Allen, Senator from Ohio, Hon. E. A. Hannegan of Indiana and some forty other members of Congress. I soon induced my old college-mate to become my guest, I having two good rooms besides our common parlor, and I sent immediately my servant for his baggage, at what is now the Metropolitan Hotel (then Brown's). One one occasion Doctor Linn, Allen, Davis and I went to a large party together in the west end. At about midnight Doctor Linn proposed to go home, as he was not feeling well. We soon found Davis and Allen in the banqueting-room, eating supper and drinking champagne with I. I. Crittenden, Haws and others. Crittenden said: "Linn, you and Jones go home and Haws and I will take Allen and Davis with us, as we have a carriage to ourselves." So Doctor Linn and I left them. Doctor Linn and I were soon in bed, and in a short time we heard in the distance the stentorian voice of Allen, coming up the Hill. Soon they entered Doctor Linn's room, where I was in bed with him. Davis was without a hat, the blood, mud and water dripping down over his pale face, Allen all the while repeating the speech which he had been delivering to Davis, and which he (Allen) had made when he

ran for the House of Representatives of the United States in Ohio, against Governor McArthur, his future father-in-law. Doctor Linn soon dressed Davis' severe wounds on his head. I went into Davis' room, got clean, dry clothes and then took him into his room and put him to bed. The next morning early I went in to see whether Davis would soon be ready for breakfast. I found him unconscious, ran back and told Doctor Linn, who took a bottle of ether and giving me one of camphor, we commenced the proper application and rubbing, when Davis in a short time was restored to consciousness Doctor Linn said that Davis would have been dead in a few minutes had we not gone to his relief. During Mr. Davis' sojourn that winter with me he became well acquainted especially with our mess, and all became greatly attached to him and greatly admired him. I informed Hon. Robt. J. Walker, then a Senator from Mississippi, that I had a young friend and old college-mate with me, and advised him to call on and pay him some attention, as he was one of his constituents. My present recollection is that he never became acquainted with Davis until he became a member of the House of Representatives. They afterwards became warm friends.

In 1846 (February) I went to Washington City as Surveyor-General of Wisconsin from Dubuque, and became a boarder at the same house where my

friends, the two Dodges (then Delegates from Wisconsin and Iowa), Mr. and Mrs. Davis, Ambrose H. Sevier, Jacob Thompson and other Members of Congress boarded. On one occasion, when sitting by Davis in the House of Representatives, he said, "Augustus Dodge tells me that you are hard up for money, upon my inquiring of him as to your financial condition." I replied that there was a judgment against me at home for $400, the only debt I owed. He took up his pen, drew a draft in my favor for one thousand dollars on J. U. Payne, his then commission merchant in New Orleans, and handed it to me. It surprised me, and I asked, "Where did you get money from, as the last time I saw you, in 1838, you were yourself pressed for money." He said he had made good cotton crops on his plantation. I drew my note for $1000 in his favor, at ten per cent. interest, and handed it to him. He tore the note into pieces, threw them under his feet, saying, "When you get more money than you know what to do with, you may pay me, not before." In 1853, as Secretary of War, he appointed my son, William A. Bodley Jones, without my knowledge, at a hint from Governor Dodge, of Wisconsin, to whom my son wrote on the subject a confidential letter, I having refused to make such an application for him, as I had other constituents who desired such appointments. During my absence at Bogota in 1861 my

son, George R. G. Jones, left Dubuque, Iowa, and went to Nashville, Tenn., Hon. I. G. Harris, now of the United States Senate, being then Governor of the State. He sent for him, and immediately commissioned him in the Confederate Army, upon learning that he had been graduated at the W. M. Institute, and that he had gone South to volunteer in the service of that section, and that he was a son of mine. My eldest son, Charles S. Jones, was then at Dubuque, awaiting my return home from Bogota. Soon after my return he, too, left Dubuque with his young wife, under pretence of visiting her parents at Frankfort, Ky., but with the intention, also, of tendering his services in the cause of the Confederacy, but without letting me or any other member of my family know what his real intention was. On reaching Richmond he immediately applied to President Davis for employment as a clerk in one of the departments. The President told him that no son of his father or mother could ask in vain for position under him, and gave him a note to Mr. Treholm for employment. In a very short time Charles received an appointment as an adjutant-general from General Bushrod Johnson, under whom he and his brother had both graduated. These evidences of the friendship which existed between Mr. Davis and myself and family are extremely gratifying to me, and to every member of my family, the dead as well as the living.

Some six to eight years since Mr. Davis wrote, me, informing me that a man living at Independence, Iowa, had his wife's album, and requested me to try and get it for her, as it contained the likenesses of their children, living and dead, and of many old friends. I immediately wrote to a friend at Independence, and was informed that the man, whose name, I believe, was Moore, had removed to Waterloo. So I took the next train, and on reaching there, I learned to my regret that Moore had removed from Waterloo out into Tama County, some thirty miles farther out. So I got my abolition cousin, Mr. Tom P——, to introduce me to some reliable Democratic attorney; he took me to the law office of Messrs. Boies, Allen & Couch, when the latter gentleman agreed to accompany me the next morning to Tama County. The next morning, after early breakfast, I called for my attorney, and we were soon wending our way to Moore's Mill, in Tama County, some one hundred and thirty to one hundred and fifty miles west of Dubuque. Before reaching Moore's my attorney drew up a writ of attachment or replevin, and procured an officer, a young man of some eighteen to twenty years, to serve the paper, if necessary. On reaching within a mile of Moore's Mr. Couch remained behind in the woods, as he would probably be known as an attorney. On entering the house, which my young officer

knew, we found a rough-looking man seated on one side of a table, whilst a younger man, a woman and two or three little children were seated on the other side, where they had been eating. I said to the older man, "I understand that you have the album of Jefferson Davis, the Southern Secessionist, and that you wish to sell it." He replied, "It is my son who has it, not I." I then said to the son, "I am told that you wish to, or will, sell the album." He replied, "There is such an album in this neighborhood." "Well, I will give $40 for it, if it be the same album that I once saw in Washington, and it is in good condition." He arose from his seat, went into an adjoining room, and I saw him through the crack of the door beckon to his wife to follow him, which she did. I then said to the father, "It can't be, surely, the album of Mrs. Davis, away out here in Iowa." "Yes, it is," he replied, "for I saw it and other things taken out of Mrs. Davis' trunk at Fortress Monroe, when Jeff. and his wife were there as prisoners." The son and woman then returned to the room, when, holding his two hands behind his back, under his coat, he said, "You'll pay $40 for it if I can get it." "Yes, I will, if it be the same album that I have seen in the Secessionist's house in Washington City, and it is in good condition, with the likenesses, etc., in it." He then handed it to me, when I deliberately looked through it and said, "My

own likeness, those of Generals Lee, Johnston and others, besides the little children of Mr. and Mrs. Davis, are not here; where are they? and the book is very dirty and much soiled," etc. He said, "We have given many of the likenesses away to our friends since we got it." I then handed it to the constable and said, "Serve your writ." He said, "I attach this album," when the old man said aloud, and looking savagely at me, "I thought you were some old Secesh," and the woman, with vengeance in her eyes, said, "You are no gentleman." I replied, "How would you, madam, like to have the album containing your little children's likenesses, the dead as well as the living, *stolen* out of your trunk, with your jewelry and other valuables?" I said, "Constable, let us go," and we walked out of the house, got into his buggy and drove out through the village to Mr. Couch, who, as soon as he saw me, said, "What success, general?" "Here it is," holding it up, "and I would not take a thousand dollars for it." He asked if we had given Moore a copy of the writ. I replied, "We have not, but we'll return and do so." "No," he said, "I will now go back and do that, but you had better remain here as I did." On Mr. Couch's return, he said, "I found Moore's house full of enraged men, and swearing vengeance against you." The old man told Mr. Couch that he saw "the d—d old Secessionist with his hand in his coat

pocket on his pistol." That pistol was handed me as I left the door of his house in the morning by my good abolition cousin and friend, he insisting that I should take it. I believe it saved me from a severe beating, if not my life. On my return to Waterloo, I desired to pay my attorneys, Messrs. Boies & Couch, for Mr. Couch's day's service, etc., but they would receive no fee from me, although I had never before seen either of the two gentlemen. I since have had the pleasure to help elect Mr. Couch as the Judge of our District Court and to make Mr. Boies the Governor of our State. Mr. Couch paid Moore some time thereafter ten dollars for me, which sum Mr. Davis sent me on receipt of their stolen family album.

In the summer or fall of 1853 or 1854, Colonel Long, of the United States Engineer Corps, when at Dubuque inspecting the harbor improvement, under the Act of Congress, was applied to by my brother-in-law, Mr. Charles Gregoire, deceased, for permission to change the plan and survey of the same, he, Mr. Gregoire, being the then President of the Dubuque Harbor Improvement Company. Colonel Long refused to authorize the change, but suggested to Mr. Gregoire to get me to ask the then Secretary of War, Mr. Davis, to permit the change asked for to be made. On reaching Washington to resume my seat in the Senate, I made the request of

the President, Mr. Gregoire, known to Secretary Davis, who very promptly complied with the request of Mr. Gregoire. That change constitutes the present Ice Steamboat Harbor, an invaluable improvement.

Some eight or ten years ago, at a meeting in Dubuque of the Agricultural Society of the State, a resolution was *unanimously* adopted, requesting Hon. Jefferson Davis to come to Dubuque, from his then residence at Beauvoir, and deliver an address, and Mr. Solon M. Langworthy was appointed to and came to me and requested me to write to Mr. Davis to accept the invitation. I did so, and received a favorable reply. A short time thereafter, Mr. Davis came to this city (St. Louis), and after delivering an agricultural address at De Soto, some sixty miles from this city, wrote a letter to Mr. Langworthy and myself, declining to go to Dubuque.

About seven years since, a scurrilous article was republished in the St. Louis *Globe-Democrat* and taken from an Iowa paper, accusing Mr. Davis of having once been caught cheating at a game of cards for money at Prairie du Chien, and that he was then slapped in his face by one of the players, who was known to be a dangerous character. I called on the editor of the St. Louis paper and asked for the author of that article. I was not given any satisfaction by the editor. I was afterwards informed by a Bellevieu,

Iowa, editor, that the story was entirely destitute of truth, its author, now dead, having been a notorious falsifier. I told this story to my lately deceased and noble old friend, General Wm. S. Harney, at his home at Pass Christian, when he denounced the same in bitter terms, saying that Mr. Davis was never a card-player, and that no man was ever permitted to slap him with impunity at Prairie du Chien, where he was associated with him, or at any other place.

AN ABLE MAN AND A LEADER.

BY JAMES CAMPBELL,
Ex-Postmaster General of the United States.

I KNEW Jefferson Davis well. I was intimately associated with him from 1853 to 1857, during the administration of President Pierce, when we were both in the Cabinet together, he as Secretary of War and I as Postmaster-General.

I first made Davis' acquaintance in March, 1853, when we entered the Cabinet together, and our association soon became personal, as well as official, for—although I was a Northern man and he a Southern, and he was an older man than I—he seemed to take a fancy to me, while I respected and admired him. Our relations were always pleasant, and we were together from the beginning to the end of President Pierce's term.

General Pierce's Cabinet was peculiar in more ways than one. It was the only Cabinet in the history of the country that remained intact throughout the entire Presidential term, and it was singularly harmonious. We had the entire confidence of the President and he had ours, and he trusted more to his Cabinet officers than any President has

done since. The Cabinet nowadays seems to be a mere corps of clerks who record the President's wishes. Pierce's Cabinet officers worked together for four years without the slightest difficulty or dissension.

A LITTLE DISAGREEMENT.

There was never but one occasion during our four years together in the Cabinet when Mr. Davis and I had any difference of opinion which brought us into conflict, and it was not at all a serious one. In fact, the incident is so trivial that if it possesses any value now it is because anything that relates to Jefferson Davis has perhaps a certain biographical interest just now.

It was early in President Pierce's administration. In pursuance of my duty as Postmaster-General, at a meeting of the Cabinet I laid before the President certain recommendations as to appointments to the post-offices in various States—the more important post-offices, which were to be filled by the President himself, and which were known as Presidential appointments.

DAVIS DIDN'T LIKE IT.

Among other recommendations were a number in Mississippi—Davis' State—and some of the candidates recommended for appointment were men who had opposed Davis in his contest with Foote. Davis

was a man of very intense likes and dislikes, and he didn't at all like the idea of his political foes coming in for patronage, and he said so. But I insisted upon the list being put through.

The President saw there was likely to be words between us over the Mississippi names, and he said, quietly:

"Mr. Postmaster-General, please put those aside; I will take them up at another time."

I went over to the White House to see the President next day, and he said to me: "I have heard Mr. Davis' objections to those names, but you were right. Make out those appointments."

President Pierce would never permit any political discussions at the Cabinet meetings. He had great tact, and we got along with wonderful harmony in the midst of a most exciting period.

Mr. Davis came into the Cabinet under somewhat peculiar circumstances. He had been elected to the House of Representatives in 1845 from Mississippi, but had not particularly distinguished himself, when the Mexican War broke out. He had been educated as a soldier at West Point, as everybody knows, but had left the army and settled on a Mississippi plantation named Briarfield, which his brother, Joe Davis, a very rich man for those days, had given him. When the Mexican War broke out he at once resigned his seat in Congress and re-

entered the army, where he served with especial distinction.

LEADING A FORLORN HOPE.

When the war was over he was returned to the Senate, his colleague from Mississippi being Henry S. Foote, a very able man. Foote and Davis differed on the compromise measures of Clay in 1851, Foote sustaining them strongly, while Davis very strongly opposed them. The contest between Davis and Foote afterward became very bitter.

There was to be an election for Governor of Mississippi that year, and the Democrats had nominated General Quitman. As the canvass progressed it became evident to the leaders of the party that Quitman was a weak candidate and would be defeated. He was prevailed upon to withdraw three weeks before the election, and Jefferson Davis induced to resign his seat in the Senate, take Quitman's place and lead a forlorn hope in the fight for the Governorship.

Davis made a plucky battle, and although he was attacked with pneumonia after a few days, and was unable to make speeches, he came within about 900 votes of being elected.

After this defeat Davis remained quietly on his plantation until the Presidential canvass between Pierce and Scott, when Davis took the stump for

Pierce with enthusiasm and ability, and contributed largely to his carrying Mississippi. This service led to President Pierce tendering him the portfolio of Secretary of War, and so he came into the Cabinet.

Mr. Davis impressed me as a firm, unyielding man, of strong attachments politically and personally, and equally strong in his dislikes. I believe Davis was a conscientious, earnest man. I am sure that he always meant to be in the right.

He was unquestionably an able man and a leader, and there always seemed to be something of the soldier about him—the result of inheritance, probably, for his father had been a soldier. His tastes lay in that direction, and he was in a congenial place as Secretary of War. Most of his nearest personal friends in Washington were army men.

I know that Jefferson Davis is not popularly known as a social, genial man, but he was, as I came to know him. But he was not much of a diner out or anything of that sort. He was very quiet and domestic in his habits and correct in his private life, and was exceedingly temperate both in eating and drinking. These abstemious habits he must have kept up all his life, or he never could have lived to be eighty-one years of age. Mr. Davis was in many respects one of the most lovable

men whom I have ever seen. I may say, to know him was to love him. I am not surprised at the great affection which the people of the South had for him. In honoring his memory they honor themselves.

WIDE EDUCATION.

Jefferson Davis was one of the best educated men whom I ever came in contact with. His acquirements were broad and often surprised us. Caleb Cushing, who was in the Cabinet with us, was one of the most highly cultured men of his time, as all the world knows. He was famous for his retentive memory and an extent and range of knowledge that was encyclopædic. President Jeff Davis wasn't far behind Cushing, and that is saying a great deal.

A CASE IN POINT.

As an instance, I remember on one occasion we were talking about a certain medicine. Mr. Davis went into a minute analysis and scientific description of its nature and effects, and seemed to know as much about it as though he were an educated physician who had made a special study of the subject.

When he had finished I asked: "For Heaven's sake, Davis, where did you learn all that?"

"Judge," he replied, "you forget that I have had

to learn something of medicine so as to take care of the negroes on my plantation."

Davis was a reading man, especially upon historical subjects. He was particularly interested in the political history of his country, and I think there have been few men who were better posted in that line than Mr. Davis.

In politics he was one of the most stubborn slavery men whom I ever met.

A DISCIPLE OF CALHOUN.

He was a political disciple of Calhoun in all his most extreme States' rights views. And although I could not agree with Mr. Davis on this point, and it was a time of intense partisanship and the bitterest feelings, which were soon to break out in secession and civil war, we never had an unpleasant dispute. Yet we always talked with great freedom. Davis and other Southern leaders, and especially the Senators from the Southern States with whom I was brought into constant official intercourse, talked with me with more frankness than to most Northern men, I suppose because I was the son-in-law of an Alabama slave-holder. In those days Northern and Southern Democrats alike felt that there would be great trouble in the country if Fremont was elected. Everything that the influence of the administration could do to turn the

scale in favor of Buchanan was done. I went into the fight as earnestly as anybody, because I feared for the future.

IN 1860.

From the time President Pierce's Cabinet separated, in 1857, I did not see Mr. Davis again for three years. It was late in the summer of 1860, during the exciting political campaign which ended in the election of Abraham Lincoln. The whole country was intensely agitated, and there was great latent bitterness between the North and the South, for the two sections were arrayed against each other on the slavery question, and the South was ready to spring at the throat of the North.

Mr. Davis passed through Philadelphia on his way South. He had been to West Point as one of the Government Board of Visitors to the Military Academy. I called upon my old colleague at the Continental Hotel and had a long talk with him upon the grave political questions which then filled every thinking man with apprehension. We were both Democrats and both anxious for the success of our party, but from far different standpoints. Both of us were very much in earnest, and we sat deeply engrossed in anxious talk until the stage was at the door to take him to his train.

There were some things said during that conver-

sation which made a deep impression upon me, and which I have never forgotten. Mr. Davis was perturbed—uneasy—and I found that he was as anxious to consult with me as I was to see him.

THE AMALGAMATED TICKET.

The Pennsylvania Democrats had tried to unite on what was called the Amalgamated Electoral ticket. There were two rival Democratic Presidential candidates in the field—Douglas and Breckinridge—and because of this serious split in the party there was great danger that the Republicans would elect Lincoln. Many leading Democrats, however, did not appreciate the situation, and felt secure in the strength of the party. I found that Mr. Davis was one of these. The fact that Democrats in Pennsylvania and in some other States had united on this amalgamated electoral ticket led many to underrate the serious nature of the division.

APPEALING TO MR. DAVIS.

In beginning the conversation I told Mr. Davis that I was anxious to talk to him because of his commanding influence in the South. I told him I feared the future, and besought him to prevent, if possible, any outbreak in the South in the event of a Democratic defeat and a triumph of the party of abolition.

Mr. Davis replied that he did not fear Democratic disaster, that the amalgamated ticket in Pennsylvania seemed likely to win.

I earnestly told him that that was a mistake; that he must not allow himself to be deceived, and I gave him my reason at some length. I told him that Lincoln would certainly carry Pennsylvania by a very large majority and that he would certainly be the next President.

Mr. Davis was greatly surprised, and I could see that he was deeply affected.

"Your news has chilled me," he said. He explained that he had been talking with Democrats in New York who had given him an entirely different impression. "But," he added, "I have never known you to be deceived as to the politics of Pennsylvania, and I believe you are right."

"DO NOTHING RASH."

I then said to him: "Mr. Davis, take it for granted that Abraham Lincoln will be the next President of the United States. Now, what are you men in the South going to do? Let me urge you, Mr. Davis, for God's sake, to stand firm. Do nothing rash. You have got the Senate and the House. Lincoln can do nothing; he is powerless."

Mr. Davis listened with deep attention to all I said, and sat buried in thought.

"I have told you frankly," I said to him, "what I am sure will be the result of the Presidential election. Now let me venture to prophesy what will occur four years hence. If you of the South will permit Lincoln to serve out his term I will pledge my life that his successor will be a Democrat."

Mr. Davis then said, laying his hand upon my arm—and I have never forgotten his words, for he spoke with great earnestness and feeling—

"I LOVE THIS OLD UNION."

"Campbell, I love this old Union. My father bled for it and I have fought for it. But unless you were in the South and knew our people, you could not begin to estimate the bitterness of feeling already engendered there, and which will increase if Lincoln is elected."

Just then Mrs. Davis came into the room and interrupted us. We were in the parlor of the hotel. She had a traveling bag in her hand and was waiting to go with her husband to the train. I rose to greet her, and as the coach was then waiting at the door Mr. Davis and I had no time to resume our conversation, so I bade him "good-bye," and we parted.

I never saw him again nor heard from him. A few months afterward—the 9th of January, 1861—

the State of Mississippi passed the ordinance of secession, Mr. Davis left his seat in the Senate at Washington, and a few weeks later he was made President of the Southern Confederacy.

CORRECTION OF MISREPRESENTATION.

BY J. L. M. CURRY, LL.D.

MORLEY, in his life of Walpole, speaks of an "epidemic of unreason" as a liability of his countrymen. In all matters pertaining to slavery, secession, the war between the States, and Jefferson Davis, their American cousins seem to be subject to the epidemical sin of ignorance, prejudice and passion. Men, who otherwise are rigorous as to the evidence and proof, find, in everything relating to its Confederacy and leaders, no assertion too wild, no insinuation too incredible, no fabrication too absurd. There is no present hope of correcting misrepresentation and perversion, but as data for the future historian it may be well to put on record a few demonstrable historical facts. They will help to elucidate the acts and character of Mr. Davis and clear up some prevalent misconceptions connected with the attempted establishment of the Confederacy.

II. Secession was not a new, sudden, unheard-of remedy on the part of sovereign States for real or unanticipated evils. It grew out of a well-recognized theory of government, and out of a well-known contention of political parties coeval with the founda-

tion of the Republic. It was a necessary inference from the doctrine that the government was a confederacy of equal States, and that the Constitution was a compact to which the States were parties, and that each party had an equal right to judge of infractions and of the mode and measure of redress. The famous Kentucky and Virginia Resolutions of 1798, and the report of Mr. Madison to the Virginia Legislature in 1799, the National Democratic Convention at Cincinnati in 1856 adopted as one of the main foundations of its political creed, and pledged itself faithfully to abide by and uphold. The ratifications of the Constitution of the United States by the States of New York, and of Rhode Island, and of Virginia, reserved in express language the right to withdraw from the Union.

The delegates of New York declared "that *the powers of government may be reassumed by the people whenever it shall become necessary to their happiness;* that every power, jurisdiction and right which is not by the said Constitution clearly delegated to the Congress of the United, or the departments of the Government thereof, remains to the peoples of the several States, or to their respective State governments, to whom they may have granted the same, etc." Rhode Island declared "that the powers of government may be reassumed by the people whensoever it shall become necessary to their happiness."

Virginia, in giving her assent, declared "that the powers granted under the Constitution, being derived from the people of the United States, may be resumed by them whenever the same shall be perverted to their injury or oppression, and that every power not granted thereby remains with them, and at their will." Mr. Josiah Quincy, of Massachusetts, regarded the purchase of Louisiana as invalid until each of the original thirteen States had signified its assent, and on the bill for the admission of Louisiana as a State into the Union in 1811, he said, "If this bill passes, it is my deliberate opinion that it is virtually a dissolution of the Union; that it will free the States from their moral obligation, and as it will be the right of all, so it will be the duty of some, definitely to prepare for a separation, amicably if they can, violently if they must." In 1844 Charles Francis Adams introduced into the Massachusetts Legislature a resolution in reference to the annexation of Texas almost identical with Mr. Quincy's utterances in 1811, and declared that Massachusetts was "determined to submit to undelegated powers in no body of men on earth." In 1831 Maine declared in reference to the Northeastern Boundary Treaty, that it impaired her sovereign rights and powers, had no constitutional force or obligation, and that Maine was not bound by any decision which should be made under the treaty. The year pre-

ceding Massachusetts declared the treaty null and void, and in no way obligatory upon the government or people. In 1857 a State Disunion Convention was held at Worcester, in which it was resolved to seek "the expulsion of the slave States from the confederation, in which they have ever been an element of discord, danger and disgrace," and to organize a party whose candidates should be publicly pledged "to ignore the Federal Government, to refuse an oath to its Constitution, and to make the States free and independent communities."

The Southern States, as previously announced, regarded the election of Mr. Lincoln by a sectional vote as involving necessarily the perversion of the government from its originally limited character and the overthrow of all those guarantees which furnished the slightest hope of equality and protection in the "irrepressible conflict" thus precipitated upon the minority section. The writer is not vindicating the secession of the States, nor deprecating the failure of the Confederacy; but as the right of secession is much misunderstood, a quotation is made from an article written by myself for the Philadelphia *Times* and published on 24th January, 1880:

"As this is the *experimentum crucis* of the whole controversy, much misunderstood by foreigners, I will state it more fully. The secession of South Carolina may have been rash and foolish. That is

not the point at issue. The naked question is, Did South Carolina have the right to secede? If so, the allegiance of *her* citizens followed necessarily. The Hon. Stanley Matthews, a scholarly lawyer and statesman, in his recent address at the unveiling of the statue of General Thomas, said 'The rebellion of 1861 was founded on a fundamental misconception of the character of the political institutions of the country and of the relation of the governments of the States to that of the United States, and a failure to realize the truth that behind and below these instrumentalities of political action there was a constituency that was their originating and supporting cause, the unity of which made a nation of all the people.' In this extract are a *petitio principii* and a statement of fact which, as a fact, exists only in the minds of consolidationists. It is assumed that the war between the States was a *rebellion*, the very matter in issue. It is asserted that a people, or 'a constituency,' *en masse*, in the aggregate, lay behind and originated the State and Federal governments and fused them into a nation. The production of the scintilla of a historical or political fact to sustain the assertion may be safely challenged. Acting as a unit, or in the aggregate, the people of the United States, or a constituency behind and below Federal and State governments, never did a political act, and never can, without a thorough

revolution in our whole system. When and where did this 'constituency' ever assemble, or vote, or legislate, or adjudicate, or execute? The Union, as a government, had as its 'originating cause' the people of the several States, acting in their separate and sovereign conventions as distinct political communities. The States, acting individually, called the Convention of 1787, and the States, each for itself, binding its citizens, ratified and thus adopted the Constitution. Now, whether the government, the Union, thus constituted, the creature of the States, was the final judge of the extent of the powers granted by the States and expressed *in totidem verbis* in the Constitution, or whether the States, as parties to and creators of the compact, had a right to judge of the extent of the powers delegated and reserved and to protect their citizens against the encroachments of the Federal Government, their agent, is *the* question, not to be decided by figures of rhetoric or sectional prejudice, but by historical records and the unimpeachable antecedents to the formation of the Federal Government or Union. South Carolina held that she entered the Union *quoad hoc*, to the extent of the powers delegated in the Constitution. So far as related to powers reserved and undelegated, she was *out* of the Union. She held that the Government of the United States, in any or all of its departments, had no more right

to govern her, within the scope of the reserved powers and outside of what had been delegated, than had Great Britain or France, and what lawyer who regards the Constitution as the *full* grant of all the powers of the Federal Government can hold otherwise?"

III. The Constitution of the Confederate States was not the overthrow of a representative republic. It was the re-enactment of the Constitution of the United States with the Southern interpretation of that instrument. It was modeled on that of the United States and followed it with rigid literalness, except on the subject of African slavery. It sought to protect the rights of the States and the rights of the people and the rights of property against usurpation or oppression. The most prejudiced critic will be unable to find clause or word hostile to any Northern interest.

The New York *Herald*, on the 16th of March, 1861, published the Constitution of the Confederate States in full, and on the 19th of March recommended the adoption by the United States of "this ultimatum of the seceded States." It said: "The new Constitution is the Constitution of the United States with various modifications and some very important and most desirable improvements. We are free to say that the invaluable reforms enumerated should be adopted by the United States, with or without a re-

union of the seceded States, and as soon as possible. But why not accept them with the propositions of the Confederate States on slavery as a basis of reunion?"

IV. The Confederacy had the enthusiastic assent of the people of the Southern States. The votes in behalf of secession and of the adoption of the Constitution were deliberate and voluntary. The war was sustained with equal zeal and unanimity. No people ever endured more cheerfully such privations and sacrifices. Since the war, President Davis has been censured for not making peace. It has been said that he, as President and Commander-in-chief, knew the exhaustion of our resources, the rapidly-diminishing Army, the inability to sustain the terribly unequal contest. Without entering upon that question it may be incontestably said that it is very doubtful whether the States would have sanctioned peace without independence; it is almost certain the Army would not.

V. It is often absurdly alleged that the South premeditated secession and made large military preparations for it. The accusation is ridiculous. Provision for war was an impossibility. In 1860, war was as unanticipated as it was unwished for. One of the first acts of President Davis was to accredit Commissioners to visit Washington and use all honorable means for obtaining a satisfactory adjust-

ment of all questions of dispute between the two Governments. The Confederacy in its infancy had neither soldier nor seaman, neither army nor navy, neither revenue nor credit. It had not even the machinery of a well-organized general Government. The South had no facilities for the manufacture of guns or any of the munitions of war. What was extemporized as the nucleus for defence was purchased in Baltimore and Northern cities. The South fought against most unequal odds. She was conquered by the avoirdupois of preponderant force, by a rigidly-enforced blockade, by wearing attrition, by a decimation of people, and never by superior valor or skill. She combated the public opinion of Europe, a powerful and well-organized Government, an army reënforced at will, limitless resources of means and money, and as much skill and courage as ever assembled under a nation's flag or did duty at a country's call.

VI. Northern religious assemblies, newspapers, poets and orators indulge in much self-commendation because of the abolition of slavery, and claim with much self-satisfaction that that event, which no one deprecates or regrets, was brought about in response to the demands of the Northern conscience. No right-thinking person will be disposed to withhold from abolitionists whatever credit is due to them for their opinions and propagandism, but it is

a severe and naked historical fact that a military necessity compelled emancipation. The document which "ushered in the great political regeneration of the American people," using the language of Mr. Lincoln's biographers, was the proclamation of President Lincoln, declaring the freedom on 1st of January, 1863, "of all persons held as slaves within any State then in rebellion against the United States." Mr. Lincoln's excuse for, or vindication of, this exercise of power he gives himself. "As commander-in-chief of the army and the navy in the time of war, I suppose I have the right to take any measure which may best subdue the enemy. . . . I view the matter as a practical war measure, to be decided on according to the advantages or disadvantages it may offer to the suppression of the rebellion." The House of Representatives, subsequently, by a vote of 78 to 52, adopted a resolution that the policy of emancipation as indicated in the proclamation of the President, "was well-chosen as a war measure."

VII. President Davis possessed a sound judgment, tenacity of will, tried integrity and large experience in that greatest of practical arts—government; but the Confederacy furnished little scope for sagacious statesmanship. The difficulties were constant and incalculable, but there was never occasion for diplomacy or legislative wisdom. Financial success was

beyond human attainment. From the beginning to the sudden collapse of the Confederacy, the question was one of arms, of patriotism, of patient endurance. The civil was necessarily subordinated to the military. How to raise troops, how arm, clothe, subsist, transport, officer them, how make and keep effective the War Department, the Commissary and Quartermaster Bureaux: these were the questions to be grappled with and they proved to be unmanageable.

OPINIONS AND IMPRESSIONS.

BY HON. A. H. GARLAND,
Ex-Attorney-General of the United States.

MY acquaintance with Mr. Davis began on the 20th day of May, 1861, the day on which Arkansas was admitted a member of the Southern Confederacy. I was one of the five members from Arkansas to the Provisional Congress of the Confederacy, then in session at Montgomery, Ala., and we called upon him as President on that day, and dined with him at his private residence.

He was as pleasant and affable, I think, as ever man was, and discussed matters freely and with deep concern, showing he had weighed well the great undertaking then upon him, and while he was cheerful and hopeful, he was thoughtful. He seemed especially gratified that Arkansas had joined the Confederacy, and his welcome to her delegation was cordiality itself.

The particular question then in hand and exciting some feeling was, whether the seat of government should be transferred to Richmond, Va. The members of Congress were, by no means, united on this. Mr. Davis favored the change, and quietly and without exhibiting any feeling on the subject gave his reasons for it.

In a few days the vote was taken and the change was made. The session at Montgomery soon closed, and Congress and the President separated, amid exciting scenes of preparation for the gigantic work before them, to meet again the following July in Richmond.

At Richmond, on Sunday, the day of the first battle of Manassas—in my memory yet, as the hottest, closest and most sultry day I ever saw—with two or three others, I called upon Mr. Davis and spent some little time with him. While he did not say so, yet he intimated important events were transpiring north of the capital, and in canvassing the situation with great self-possession, he did not conceal his anxiety; and sure enough, before that night the first step that led on almost to the change of front of the world had been taken.

From this time forward being, after the termination of the Provisional Congress, a member of the House of Representatives of the permanent Congress for nearly two terms, and a Senator just before and at the close of the war, I had almost daily intercourse with Mr. Davis, meeting him often privately, and frequently as one of a committee to discuss public measures and affairs.

In one of those interviews he preserved that excellence of manner and address for which he was so deservedly noted. With the energy of his convic-

tions, he would maintain his views, but not petulantly or dictatorially, and conceded the utmost latitude of opinion and expression to all.

Mr. Davis has often been called obstinate. I think this is an exaggeration. That he was a man of deep and strong convictions, and feared not to express them there can be no question: that he was a man of great *power of purpose* is equally true, and I know of no one who is much account who has not a large share of that; and filling the positions Mr. Davis did, to have been without it, one would have been most singularly out of place. Obstinacy implies an unyielding to reason, to argument: it is an accompaniment of ignorance. But Mr. Davis was, by no means, an ignorant man; quite the contrary, he was learned and accomplished, and his was an intelligent decision of character. He had been, and was when I knew him, a close, industrious student, and he possessed vast knowledge, which he could impart in the most felicitous manner, either by word or by writing.

His political struggles in Mississippi had been fierce and straining to the utmost. That was the order of the day then and there. In that State, where lived probably more gifted popular orators than in any other State, according to population, he had many a hard-fought field, and there he won his laurels among the foremost.

Probably no contest in any country was more intensely interesting and more absorbing than was his with Governor Foote for the Governorship of Mississippi in 1851, and probably never was a political conflict waged, on both sides, with more stubborn determination.

The excitement went away out of and beyond the territory of Mississippi. Coming up the Mississippi river that fall just after the election, but before its result was generally known, on the old "Fannie Smith," one of the finest crafts that ever walked the waters, I heard nothing but, "*What's the news from the Mississippi election?*" till I reached Louisville, Ky. At every landing, from Memphis to Louisville, old men and old women, young men and young women, and boys and girls, would crowd to and upon the boat as she landed, until she would almost turn over, crying out at the top of their voices, "*Who's elected Governor of Mississippi?*"

Passing through such struggles, he would have been something more than man if their impress had not been left upon him. Doubtless they did contribute to make firm and solid a nature already much self-possessed and self-reliant.

I have spoken of him as an educated and accomplished man, and in this connection I have often thought his State papers and his communications to Congress were models of English composition. In

my opinion, in this respect they have not been excelled.

Being a positive and direct man, he always impressed me that he was brave and courageous, and true to the principles he advocated. The service he did the Republic, and the glory he won before the birth of the Confederacy, entitle him to this praise. And I doubt not there was not an hour during the war between the States he would not have given up his life as readily as he would have put a cent in a charity box, if by so doing he believed he could have secured the independence of the Confederacy.

His care and solicitude for the Confederate soldiers was manifest upon every occasion, and it was the genuine exhibition of a father's love for his children.

It has been said often, that with some one else at the head of the Confederacy the result would have been different. This I do not subscribe to. Mr. Davis managed her affairs as well, in my judgment, as they could have been, and he did all for the people who trusted him that could have been done; and he came just as near succeeding as any other one would who might have been in his place.

The debate as to his true position in history will be long—may be endless. Certain it is, the time is not yet when this verdict can be made up and entered. Plutarch, in his essays, speaks of one Antiphanes, who told it, that in a certain city the

cold was so intense that words were congealed as soon as spoken, but that after some time they thawed and became audible, so that words spoken in winter were articulated next summer. The fitting opinions and impressions formed of Mr. Davis may as yet be congealed, and be not heard, but in the softening influence of the future—when summer comes—they too may be thawed and made audible, and he will be ranked among the first who have figured in history.

MEMORIAL ADDRESS.

BY J. RANDOLPH TUCKER.

WE come on the invitation of the Governor of the Commonwealth to join with millions in the South, and in union with those who attend upon the obsequies at New Orleans to do reverence to the splendid name and fame of Jefferson Davis, the soldier, the statesman and the Christian patriot. We come to bury Davis—and to praise him.

We will not revive the thoughts, the motives or the actions of a past generation, but with warm and honest hearts we avow, that though our Confederacy be buried forever, we still love and revere the truth and integrity, the constancy and fortitude, the honor and the virtues, the genius and the patriotism of the heroes who led and filled our armies; and of the executive chieftain whose master hand directed our destiny in that momentous crisis.

Jefferson Davis was born in Kentucky in 1808. I do not doubt that his name gave direction to his opinions by throwing his mind under the fascinating influence of Thomas Jefferson, whose writings have exerted so large a power over the American people.

Mr. Jefferson in his political philosophy had

evolved two ultimate principles. The first, the self-determinant power of the man which led him to his sentiment for the universal freedom of all men under proper conditions. The second, the self-determinant power of the State in the Federal Union, as essential to the freedom of its people from the despotism of centralism.

Kentucky gave birth to two men in the early part of the century, Jefferson Davis and Abraham Lincoln. Both of these embodied the ultimate principles just mentioned of Mr. Jefferson, but not in like proportions. Mr. Lincoln held to unconditional emancipation as far as political power reached, and did not hold the limit on power imposed by the second principle to the same extent or with the same tenacity with which it was held by Mr. Jefferson. On the other hand, Mr. Davis, while no doubt holding to the ultimate freedom of all men, recognized the conditions which environed the question, making emancipation practically difficult, and gave more force to them as postponing the result; and held with unconditional tenacity to the second principle as essential to the autonomy of the States of the South, and to the political liberty of their people.

Young Davis went to West Point as a cadet, as the son of his mother Mississippi, who sent him there to be educated for her, upon the basis of her contribution through taxation to the expenses necessary

for the support of the Military Academy. He enlisted in the army, and distinguished himself as a gallant officer in the Black Hawk war.

As a young lieutenant, Davis won the love of the daughter of General Zachary Taylor, afterwards president of the United States. With the father's consent he married her, and in three months he buried this beautiful object of his early love. The story of his grief and devotion to her memory, as told to me, shows how tender and true was this strong, brave man—to become in later years, as we have seen, a man of destiny.

He left the army, and devoting himself to plantation life—that realm for thoughtful speculation and philosophical study with a large class of southern men, who have filled a conspicuous place in the history of the country—became a close student of constitutional history and government.

He was soon elected to the House of Representatives, but when the Mexican war broke out in 1846, he raised a regiment of Mississippi riflemen, took a distinguished part in the siege of Monterey, and with his regiment decided the fate of the day on the victorious field of Buena Vista, Feb. 22d and 23d, 1847.

Mississippi then sent Colonel Davis to the Senate of the U. S., where during the celebrated debates on the compromise measures of 1850 he took a promi-

nent place. It was at that time I first saw him, when he rose with brave and manly face to challenge to discussion the celebrated Henry Clay then as now, one of the most striking figures in all American history.

Mr. Davis was beaten by Henry S. Foote for Governor in 1851, and remained thereafter in private life until called to the War Department by President Pierce in March, 1853. Here he displayed great capacity for organization, and in the administration of the details of the War office, of which even his enemies do not scruple to testify.

In 1857 he returned to the Senate, where he remained until the winter of 1860–61, when Mississippi having seceded from the Union, Mr. Davis withdrew from the Senate, after delivering a valedictory address which produced a profound impression upon his audience, and upon the public at large.

In February, 1861, he was called to be President of the Confederate States of America, and so continued to be until the surrender of the Confederate armies in April, 1865. In May of that year he was captured and was closely confined until 1867 in Fortress Monroe, when he was released on *Habeas Corpus* on application to the United States Court.

It is a pleasure to announce that while the conduct of that proceeding was directed by the pre-eminent counsellor, Charles O'Connor, of New York, the

honor of being associated with him was shared in a subordinate position by me. After his release, the first use of his freedom manifests the tenderness of the father's heart; he and Mrs. Davis went to visit and to dress the grave of the young son they had lost during the war.

He went back to his home. He was never tried —he was never re-arrested. He asked not for a removal of his political disabilities. They were never removed.

During the years which have passed since his release, Mr. Davis has written a very able and valuable history of the Confederate States, in which there is a disquisition on the constitutional questions involved in their secession from the Union. And thus, withdrawn from public observation, he has lived at his home, until at the age of 81 years, he closed his life on the 6th inst., in New Orleans.

After this epitome of his life the question presses for answer, why do we join in this tribute to his memory?

Several answers may be given.

First, he was in himself worthy of our admiration and esteem. He had a splendid intellect, keen and critical in insight, and profound and diligent in research. Bold in conception, he was logical in process. A philosophical thinker on the highest problems of Political Science, he had in a high degree

the practical sense for the administration of public affairs.

In the Senate, standing erect in mind and person, as a champion of the truth, he flung down the gage of battle in the arena of debate with a courage as heroic as his courtesy was knightly. His will was guided by convictions—the deepest convictions. He had, it is true, his prejudices and his preferences. His judgment, despite these, was sound and reliable, though not infallible. His soul was the seat of honor and chivalry. He was true to friends, and firm and resolute to foes. His affections were ardent, his impulses noble, his motives pure, and his faith in God fixed, humble and sincere.

2. Again, we owe him reverence, for Davis was the heroic friend of the South Land. He did not seek her archonship, it sought him. He heard her clarion call and he obeyed it with a religious purpose to save her liberty in the new Confederacy. Among all her men, he seemed to have the combination of qualities which best fitted him for the service.

He had experience in statesmanship, practical knowledge of affairs, eloquence, logic and personal magnetism; and a resolution which could not be turned aside, and a will which would not yield to fear, and which could not be seduced by policy or personal interest. Take him as civilian and soldier, as orator and logician, as statesman and popular

leader, as a judicious counsellor and the possessor of an aggressive and unbending will; I think it may be said that none of his contemporaries equaled him in the entireness of his manhood, though many excelled him in some one of his wonderful gifts. If *he* failed, who could have succeeded? If he made mistakes, which one of his contemporaries would have made less in number or less in degree? This much is undoubtedly true, Jefferson Davis heroically maintained the principles for which the South contended, with an eye that never quailed, with a cheek that never blanched, a step that never faltered, a courage that never flinched, a fortitude that never failed, a fidelity that even captivity could not repress, and with a constancy even unto death! For four years without commerce or national recognition; with a government new and imperfectly organized; with army and navy to be raised; with Department of War and bureaux of war supplies to be improvised; with scarcely one-half the numbers of its foe and less than half the resources, the Confederacy under his leadership, and with the genius of its military and naval heroes, upheld a conflict which was the miracle of the age in which it occurred, and will be the romance of the future historian. It is true the Confederacy went down below the horizon of history forever, and its name as a nation is effaced from the page of human annals for all time to come; yet the

cheeks of our children will not blush for its fate, but will flush with pride and admiration, as they hear the tale of the patience, constancy and fortitude, the adventurous daring, and heroism, the genius of leadership, and the victories of their noble fathers.

Our Confederacy sank in sorrow, but not in shame. Dark and gloomy clouds gathered in heavy folds around its setting, but they did not—they could not blacken it! It lit them into effulgence with its own transcendent glory.

3. But again, Jefferson Davis deserves our reverence because he has stood for a quarter of a century in our place. He endured a cruel captivity for two years, and for the residue of that time has been the vicarious victim of obloquy and reproach due to us all, and heaped upon him alone by the press and people of the North. His fortitude and devotion to truth never failed. He endured not in silence, but with a protest which history has recorded, and will preserve as an emphatic vindication of the Confederacy which had perished, from malign aspersions on the motives of its friends, on the origin and causes of its formation and on the purposes of justice and liberty, which inspired those who died in its defence, or who survived to illustrate its principles in doing the duties, public and private, which God in his providence assigned them to perform. He died a citizen of Mississippi and of the United States, and

under disability to hold office under the government of the United States. He desired no place; why should he? He had filled his place in the temple of fame and in the domain of history. In personal dignity, and in the peace of God, he lived and died. What artificial disability could taint his real nature? Why seek to remove it? He had made an heroic and honest effort to give freedom and independence to the South and had failed. God's will be done! He chose the sacred retirement of home, its charms of family and friends, of calm and philosophical reflection and study, and waited with firm reliance on divine goodness for the last summons, which comes to him who has humbly but bravely, conscientiously, and with undaunted courage and patience, done his duty, as he saw it, to truth, to his country and to God!

"Whether on cross uplifted high,
Or in the battle's van;
The fittest place for man to die,
Is where he dies for man!"

Virginia! Rockbridge! Lexington! ever keeping guard over the holy dust of Lee and Jackson, turn aside to-day with millions of your countrymen; with mournful reverence and tender hearts to twine a wreath of martial glory and weave a chaplet of civic fame, to rest upon the tomb of Jefferson Davis! In a peculiar sense the fate of our Confed-

eracy is recalled to-day. On its grave—finally closed this hour—will be inscribed in imperishable characters the immortal name of the martial civilian who was its first, its only President. We plant flowers about it and water them with our tears, not hoping for, or as emblems of its anticipated resurrection, but to embalm it in our fragrant memories and in our most precious affections. And then, turning from the ashes of our dead past to the active duty dictated by the example and counsels of our departed leaders, Albert Sidney Johnston, Stonewall Jackson, Robert E. Lee and Jefferson Davis, we will labor with a fidelity wrought by the stern but noble discipline of our past experience, for the maintenance of the constitutional liberty, they imperilled their lives to save, and for the promotion of the true prosperity, progress and glory of our common country.

JEFFERSON DAVIS.

BY HON. G. G. VEST,
United States Senator from Missouri.

WITH the multitude, "success is the criterion of merit." When the Confederate Armies surrendered their battle flags, they surrendered also the history of their heroic struggle against the overwhelming numbers hurled upon them. It is not meant by this that the record of battles, campaigns and sieges became the property of the victors, but only that the outside world can never know the motives of the vanquished, their devotion to what they believed to be the right, their heroism during the long, dark years of that bloody struggle, when the prejudices of the civilized world were arrayed against their cause, and the mercenaries of every land swelled the armies of their adversary. The cause of the Confederate States was under the ban of Christendom, because identified with African slavery. It was useless then, and it is useless now, to attempt an explanation to foreigners, the masses of whom are unacquainted with our institutions and their history, and whose educated men even are imperfectly in-

formed as to the autonomy of our Government, of the fundamental and radical difference of Constitutional construction which began with the adoption of the Constitution in 1789, and culminated in Civil War. The world is too busy for such discussion, and results alone are regarded.

No one, amongst public men, knew so well the odds in favor of the United States and against the Confederacy, in the event of war, as did Jefferson Davis. He was an educated soldier, and had distinguished himself upon the battle-field and as Secretary of War. He was a statesman, earnest, laborious and unwearying in the examination of public questions and the resources of every section. His service in the Senate and Cabinet, and the attrition of debate with the ablest minds, gave him accurate information of the military strength of both North and South. His intellect was acute, well-trained and untiring. He was cool, deliberate, without the passion that clouds reason, and cautious in all his conclusions. The fierce excitement aroused by sectional controversy did not hurry him into secession; but he went with his people, believing they were right, and prepared for any fate.

Mr. Davis believed that the North had resolved upon the invasion and destruction of Constitutional guarantees, upon which rested the property rights, social life, and even the autonomy of the Southern

States. In his deliberate judgment the election of Mr. Lincoln to the Presidency upon the sectional basis of opposition to slave property, meant that the South must submit to political degradation and dishonor, or sever their connection with the Union, and face the result.

He knew that the South was not alone responsible for African slavery, but that the North had clung to it until slavery had ceased to be profitable. He knew that in the formation of the Constitution the New England States had agreed to the extension of the slave trade, in order to secure the navigation laws which they considered vitally important to their commerce.

With this knowledge he resented with all the vehemence of a strong and manly nature the hypocritical pretence that "slavery was a covenant with death,—a league with hell," and that the Northern conscience could not longer tolerate its existence.

His intelligence discerned clearly the true intent, partially concealed, in the avowal that slavery would not be attacked in the States, but could not be extended to other territory. He had been taught by history that sentimental and sectional fanaticism would never stop until all its objects were accomplished, and he understood the full force of the frenzied appeal to the Northern people, "that slavery

must be surrounded by a cordon of fire until, like a viper, it stung itself to death."

Mr. Davis knew, as did every reflecting man not an unreasoning optimist, that the election of Lincoln meant to the South degradation or war. The idle talk of fighting in the Union, and under the flag, did not touch his knowledge that the real Union had disappeared with the supremacy of a party based upon the idea of destroying the property rights of the people in fifteen States.

With these opinions and convictions Jefferson Davis gave himself unreservedly, heart, soul and brain, to the cause of his people.

It was his ardent wish to serve in the field, for he was by instinct and training a soldier, but he was called to the Presidency of the infant republic, and, with full knowledge of the terrible task, accepted it with solemn and earnest purpose.

To those who have no knowledge of the inner life of the Confederate Government, it is difficult to convey even an inadequate idea of the difficulties which confronted the President of the Confederate States.

The Southern people, brave and devoted, were impetuous, untrained, and unprepared for war. Their leaders in political life were men of great, but irregular talents, ambitious, fierce and intractable. Their ideas of war were crude and impracticable. In the

matter of supplies, so absolutely necessary to military success, they had been taught by De-Bow's *Review* that "Cotton was king," and that a cotton famine in Europe would force England and the great Continental powers to interfere in behalf of the Confederate States. As this dream vanished, and all the horrors of war came nearer to the homes and hearts of the Southern people, as their finances became disordered, their supplies exhausted, and the ranks of their armies thinned by disease and death, demagogues and traitors, jealous rivals, and half-hearted friends turned against the head of the government, and charged the mass of accumulating misfortune to his evil and malign influence. He was accused of prejudice, nepotism, kingly ambition, and as the sound of hostile guns came nearer and nearer to the beleaguered capital of the Confederacy, the louder swelled the clamor of this discordant and malignant disaffection.

Collected and calm, unmoved by misfortune, unvexed by accusation, Jefferson Davis discharged the trust reposed in him by the Southern people, with the heroic and sublime devotion of a martyr.

That he made many mistakes is but to admit that he was mortal. That his confidence was often abused, and the conclusions he reached erroneous, no one will deny who knows the truth; but amidst unparalleled difficulty and danger, surrounded by

perils within and without, the loyalty of Jefferson Davis to the Southern cause was never doubted by even his most unrelenting foes.

When the end came, and all the vials of the victor's wrath were emptied upon his devoted head, insulted and outraged, manacled in a felon cell, and watched by night and day, as if a wild beast, his splendid courage and unshrinking heroism brought the tears to even manhood's eyes throughout the world, and shamed the coward pack that hounded him.

At last there came an hour in which he met his accusers face to face in a Court of Justice and dared them to the worst. Serene and inflexible, he stood before the tribunal an incarnation of constancy and fortitude. In his person, resolute and uncomplaining, submissive to the will of God, but cringing not to mortal man, the South had its noblest type of manhood. He was its true representative, and every insult, every sorrow, every pang endured by him thrilled and touched every Southern heart.

Amidst the flowers of the South, where the moaning gulf sobs its requiem for the glorious dead, Jefferson Davis passed the closing years of a life which will cause for centuries both the severest criticism and the most touching devotion. The events in his career are too recent, the colors now too vivid, for the purpose of impartial judgment.

The time will come when all will see in the Southern leader that one great quality, which in all climes and ages has commanded the admiration of mankind,—constant, unyielding, uncompromising adherence to what he believed a just cause.

To the Southern people there will be no change in love and reverence for one who never faltered in his love for them.

Through all the ages, until constancy, courage and honest purpose become valueless among men, the flowers will be heaped by loving hands upon his grave.

MEMORIAL ADDRESS.

BY REV. MOSES HOGE, D.D.

SOMEWHAT wearied, as I am, with the number of special services which have devolved on me of late, it was my desire and effort to be relieved of the one now assigned to me. But the constraint laid on me to perform it was one I could not properly resist. I have probably been called to undertake this office because I am one of the few pastors in this city who resided here during the Civil War, and because circumstances brought me into personal association with the President of the conquered Confederacy. I heard his first address to the Richmond people from the balcony of Spotswood Hotel, after the removal of the capital from Montgomery. I stood beneath the ominous clouds, in the dismal rain of that memorable day, the 22d of February, 1862, when, from the platform erected near the Washington monument in the Capitol Square, after prayer by Bishop Johns, he delivered his inaugural address, in clear but gravely modulated tones. I have ridden with him on horseback along the lines of fortification which guarded the city. I have had experiences of his courtesy in his house and in his office. I was with him in Danville after the evacu-

ation, until the surrender at Appomattox Court-house; and while I never aspired to intimacy with him, my opportunities were such as enabled me to learn the personal traits which characterized him as a man, as well as the official and public acts which marked his administration and which now form a part of the history of the country.

And now permit me to say a word with regard to the kind of service which I deem appropriate to the hour and to the place where we meet.

This is a *memorial* service, and not an occasion for the discussion of topics which would be appropriate elsewhere and at another time.

Every congregation assembled in our churches in these Southern States to-day forms a part of the vast multitude which unites in mind and heart with the solemn assembly in New Orleans, where, in the presence of the dead, the funeral services are in progress at this hour. There, all that is most tender and most impressive centres, and it becomes all who compose those outlying congregations to feel and act in sympathy with what is now passing in the sad but queenly city which guards the gates of the Mississippi, in the church draped in sable, and where the bereaved sit beside the pall with hearts filled with a sorrow which no outward emblems of mourning can express.

If we place ourselves in sympathy with the emo-

tions which concentre there, and which radiate to the wide circumference of the most distant congregations uniting in these obsequies, then how evident it is that political harangues and discussions calculated to excite sectional animosities are utterly inappropriate to the hour. It is not the office of the minister of religion to deal controversially with the irritating subjects which awaken party strife. It is his duty and privilege to soften asperities, to reconcile antagonistic elements, to plead for mutual forbearance, to urge such devotion to the common weal as to bring all the people, North, South, East and West, into harmonious relations with each other, so as to combine all the resources of the entire country into unity of effort for the welfare of the whole. I trust this will be the tone and spirit of all the addresses made in the churches to-day throughout the South; and may I not hope that *as there are no geographical boundaries to the qualities which constitute noble manhood*, such as courage, generosity, fortitude, and personal honor, there will be many in the Northern and Western States who will be in sympathy with the eulogies which will be pronounced to-day by the speakers who hold up to view those characteristics of their dead chieftain which have always commanded the admiration of right-minded and right-hearted men in all lands and in all centuries.

The day is coming when the question will not relate so much to the color of the uniform, blue or gray, as to the character of the men who wore it; when the question will be, who were most loyal to what they believed to be duty, who were most dauntless in danger, who most sublime in self-sacrifice, who illustrated most splendidly the ideal of the patriot soldier?

Before the commencement of the strife which ended in the dismemberment of the Union, all men familiar with the life of Mr. Davis, whether as a cadet at West Point, as a soldier in the Mexican war, as the Governor of his adopted State, or as a member of the Senate of the United States, agree in regarding him as entitled to the reputation he won as a gallant officer and a patriotic statesman. After the organization of the Southern Confederacy, whatever conflicting views men may entertain with regard to the righteousness of the part he took in its formation, or as to the wisdom of his course as its Chief Magistrate, all alike admit the sincerity and the courage of his convictions, and the indomitable resolution with which he carried out his plans, with a decision that nothing could shake, and with a devotion that sought nothing for self, but everything for the success of the cause to which he had consecrated his life.

This leads to the inquiry as to the qualities and attributes which constitute the patriot statesman, the statesman needed for all time, but more especially for our own day and country. The opinion has been recently expressed by men whose words have great weight, that our legislative bodies should be composed for the most part of practical business men, thoroughly acquainted with the trade, the commerce, and the financial interests of the country. With a single qualification, no one will controvert the truth of that statement, but taken alone, it is an imperfect enunciation of the requirements of legislation. Associated with men, no matter how conversant with the commercial interests of the country, we need legislators who are profound students of *history, philosophy and ethics;* men who have had time and opportunities for thought and for the thorough investigation of the principles of government. I heard Lord Palmerston say in the speech he delivered at his inauguration as Lord Rector of the University of Glasgow that the difference between the statesmen of Great Britain and France was owing to the fact that the latter had been trained only in the exact sciences, while the former had been drilled in metaphysics and moral philosophy; and the result was, that while French legislative assemblies had been filled with brilliant politicians, the British Parliament had been graced

and dignified by men of the stamp of Burke and Chatham and Fox and Peel and Canning.

Who were the men who framed the government under which we live? Who wrote the masterly state papers which excited the wonder and admiration of the best thinkers of the old world? Who wrote the Declaration of Independence and the Constitution, which brought into union the independent colonial sovereignties? Who built up our system of Jurisprudence, combining the merits of Roman civil law and English common law? *All of them students;* men who, under the shade of their ancestral trees, in the retirement of their Southern country homes, had spent their lives in profound researches into the principles upon which just government is founded, and then were capable of elaborating and bringing into successful operation the wisest form of government the world ever knew. Never were statesmen of this type so much needed in our national councils as now.

Then I add, the statesman required for the times is one who has the courage and the ability to *lead* public opinion in ways that are right, instead of waiting to ascertain the popular drift, no matter how base, that he may servilely follow it. Unlike the popularity hunter, who never asks what is just, but what is politic, and then trims his sails so as to catch every breeze of public favor, the upright

statesman, with the deep conviction that nothing that is morally wrong can be politically right, steers directly for the port of duty along a line in which no deflection can be traced, and holds his course in the very teeth of the gale. While the demagogue dares attempt nothing, no matter how noble, which might endanger his popularity, the patriot statesman, when assailed by obloquy, is not greatly troubled thereby, but calmly waits for the verdict of time, the great vindicator.

When the path of duty becomes the path of danger, the upright statesman is not intimidated, but remains firm as the rock in mid-ocean, against which the invading waves beat only to be shivered into spray. While the tricky demagogue spends all his energies in directing the tactics of a party, the broad-minded statesman aspires to build up a noble commonwealth, and rises above all that is selfish and mean, because the ends he aims at are those of country, God and truth. Men of great gifts often fail in public life because they lack the moral basis on which character alone can stand. After all, *integrity* is one of the strongest of living forces; and what the people seek when their rights are imperilled is not so much for men of brilliant talents as for leaders whose chief characteristics are untarnished honor, incorruptible honesty, and the courage to do right at any hazard.

It is admitted that even such men sometimes fail to secure the triumph of the cause for which they toil and make every sacrifice; but the very failures of such men are nobler than the success of the unprincipled intriguer. Reproach, persecution, misrepresentation and poverty have often been the fate of those who have suffered the loss of all for the right and true; but they are not dishonored because the ignoble do not appreciate their character, aims and efforts.

"Count me o'er earth's chosen heroes; they were souls that stood alone;
While the men they agonized for, hurled the contumelious stone."

Our admiration is more due to him who pursues the course he thinks right, in spite of disaster, than to one who succeeds by methods which reason and conscience condemn. Defeat is the discipline which often trains the heroic soul to its noblest development. And when the conviction comes that he has struggled in vain, and must now yield to the inevitable, then he may, without shame, lay down his armor in the assurance that others will rise up and put it on, and in God's good time vindicate the principles which must ultimately triumph.

Another of the lessons we learn from the eventful life just terminated is the *emptiness and vanity of earthly glory,* if it be the only prize for which the soul has contended. "As for man, his days are as grass. He cometh forth like a flower; in the morn-

ing it groweth up and nourisheth: in the evening it is cut down and withereth. Surely man at his best estate is altogether vanity." Wealth, honor, power, military renown, popularity, the constituent elements of what men call glory, how evanescent they are, and how unsatisfactory while they continue! What is earthly glory? It is the favor of the fickle multitude, the transient homage of the hour, the applause of the populace, dying away with the breath that fills the air with its empty clamor. Oftentimes its most impressive emblem is the bloody banner whose tattered folds bear mournful evidence of the price at which victory is won. It is the mouldering hatchment which hangs above the tomb of the dead warrior. It is the posthumous renown which stirs not one sweet emotion in the heart which lies still and chill in the coffin, and whose music never penetrates the dull cold ear of death. What is earthly glory? Listen; "All flesh is as grass, and all the glory of man as the flower of the grass; the grass withereth, and the flower thereof falleth away;" "the wind passeth over it and it is gone."

We are told that when Massillon pronounced one of those wonderful discourses which placed him in the first rank of pulpit orators he found himself in a church surrounded by the trappings and pageants of a royal funeral. The church was not only hung with black drapery, but the light of day was ex-

cluded, and only a few dim tapers burned on the altar. The beauty and chivalry of the land were spread out before him. The members of the royal family sat beneath him, clothed in the habiliments of mourning. There was silence—a breathless suspense. No sound broke the awful stillness. Massillon arose. His hands were folded on his bosom; his eyes were lifted to heaven; utterance seemed impossible. Presently his fixed look was unbent, his eye roved over the scene where every pomp was displayed, where every trophy was exhibited. That eye found no resting place amid all this idle parade and mocking vanity. At length it settled on the bier on which lay dead royalty, covered with a pall. A sense of the indescribable nothingness of man at his best estate, overcame him. His eyes once more closed; his very breath seemed suspended, until, in a scarce audible voice, he startled the deep silence with the words:

"THERE IS NOTHING GREAT BUT GOD."

To-day, my hearers, we are warned that pallid death knocks with impartial hand at all doors. He enters, with equal freedom, the dwelling of the humblest citizen and the mansion of senator, sage and chieftain. He lays peasant and president side by side, to repose in the silent, all-summoning cemetery.

"The boast of heraldry, the pomp of power,
And all that beauty, all that wealth e'er gave,
Await alike the inevitable hour;
The path of glory leads but to the grave."

There is nothing great but God; there is nothing solemn but death; there is nothing momentous but judgment.

Finally, *every life which is not made a preparation for the eternal future is a comedy, in folly—a tragedy, in fact.* No matter how splendid its success, the life itself and all its possessions are temporary. They are like the dissolving views of the panorama. Pietro de Medici commanded Michael Angelo to fashion a statue of snow. Think of such a man spending his time and splendid talents in shaping a snow image! But men who devote all their time and talents to temporal things, no matter how noble, are modeling and moulding with snow. "He builds too low who builds beneath the skies." He who expects an enduring portion from anything lower than the skies, from anything less stable than the heavens, from anything less sufficient than God, is doomed to disappointment. The man with a mortal body inhabited by an immortal spirit, drifting to the eternal future without preparation for it, is like a richly freighted ship sailing round and round on an open sea, bound to no port, and which, by and by, goes down in darkness and storm.

Very different was the course and conduct of the man for whom these Southern States are to-day paying the last sad rites of respect and affection. His life was one of intense occupation. Much of it was absorbed with exciting, exacting, earthly duties; but in the midst of the pressure and distraction to which he was subjected, he remembered what time was made for; he remembered the endless life that follows this transient life. Very beautiful was the testimony of one of the most eminent of our Southern statesmen, whose own departure from the earth was both a tragedy and a triumph, when he said: "I knew Jefferson Davis as I knew few men. I have been near him in his public duties; I have seen him by his private fireside; I have witnessed his humble, Christian devotions, and I challenge history when I say no people were ever led through a stormy struggle by a purer patriot, and the trials of public life never revealed a purer or more beautiful Christian character."

Oh! great is the contrast between the hopes and prospects of the worldling and those of the humble believer. The Duke of Marlborough, in his last illness, was carried to an apartment which contained a picture of one of his great battles. He gazed at it awhile, then exclaimed: "Ah! the Duke was something then, but now he is a dying

man." The Christian is something *when* he is dying. "His life is hid with Christ in God."

The closing scenes in the life of Mr. Davis were marked by fortitude, by the gentle courtesy which never forsook him, and, above all, by sublime though simple trust in the all-sufficient Saviour. While the outward man was perishing, the inward man was renewed day by day.

As the sculptor chips off the fragments of marble out of which he is chiseling a statue, the decrease of the marble only marks the development of the statue.

"The more the marble wastes,
The more the statue grows."

So it is with the spirit preparing to take its flight from the decaying vesture of the flesh to the place where it shall be both clothed and crowned.

Such are some of the impressive lessons of the hour, and if duly heeded, this solemnity, instead of being a mere decorous compliance with an executive summons, will be a preparation for the time when we shall follow our departed chief, and take our places among those who nobly fought and grandly triumphed. And then, as now, will we sing, Glory be to the Father, and to the Son, and to the Holy Ghost. As it was in the beginning, is now, and ever shall be, world without end. Amen.

EX PRESIDENT DAVIS IN TEXAS IN 1875.

BY EX-GOVERNOR F. R. LUBBOCK,
Who accompanied him through the State.

FROM the day that Mr. Davis was released from prison by the United States Government the people of Texas were solicitous to have him pay them a visit. They were not moved by idle curiosity; they were anxious to show the love and respect they bore him. This kindly feeling and respect was fully reciprocated by him. He knew them as brave soldiers in the early settlement of the republic; he had witnessed their gallantry in the war between the United States and Mexico, and later, in the war between the States, and thus drawn towards them, he invariably replied to their solicitations that as soon as a favorable opportunity offered he would visit the people he had ever held in such high regard. Finally, in May, 1875, a committee of citizens invited him to visit the State during the fair at Houston. The following characteristic reply was received:

VICKSBURG, MISS., 5th May, 1875.

My Dear Sir: I am engaged here on a matter of much importance to me, and of no little com-

plexity. If it is possible for me to arrange matters so that I can leave, it will give me sincere pleasure to meet the good people of Texas, whose kindness impresses me with heartfelt gratitude.

As heretofore, I am compelled to say, Do not expect me, but if I do not go, the regret will surely be deeper on my part than I can suppose it will be on that of others.

As ever, truly your friend,

JEFFERSON DAVIS.

COL. F. R. LUBBOCK.

He came, however, on a very short notice to the committee. He was received at Galveston with marked attention and respect, although he arrived on Sunday, and attended divine services at the Episcopal Church during the day.

The next morning he proceeded to Houston. The notice of his coming was very short, but thousands thronged the city to meet their illustrious ex-President, and never was an arrival marked by stronger demonstrations of love and affection from a people. His address at the fair grounds captured his hearers, old and young. The Association of Veterans of the Texas Revolution were present. He spoke to them specially, and the old men grew wild at his magnificent tribute to them, as he enumerated the wonderful results they had achieved in giving to the country the great State of Texas.

A very touching incident occurred while he was still in that city. The survivors of the "Davis Guards," a company composed entirely of Irishmen, desired to call on him in a body. He accorded to them an interview. The writer of this, with a few other citizens, were present. It was a scene never to be forgotten. He made them a short speech, in which he referred to their brave conduct in defence of their adopted State. That gallant band of warm hearts and strong arms each and every one shook the hand of their President, as they called him, and not a dry eye was there among all those sturdy men as they parted from him. This company of forty-two volunteers is mentioned in Davis' "Rise and Fall of the Confederate States," vol. i., p. 236–240, as having performed one of the greatest feats during the entire war, resulting in saving Texas from invasion and probable devastation.

The people appeared loath to part with him, but he had to journey on. In passing through the country to Austin at every town and station the citizens assembled in great numbers, and as he would appear upon the platform of the car in response to their call, great cheering and hearty greetings came from an admiring people. The train was behind time in reaching Austin, the capital of Texas. It was raining, but men, women and children stood where they had been for hours. They

had improvised torch-lights and waited for the train that they might obtain a glimpse of their loved chief. He was received by the military and escorted to his quarters, where he was met by the Governor of the State and others.

The next day thousands of men, women and children called to shake his hand and tell him how they honored and loved him. While at the seat of government he had every attention that could be shown him. His reception in Austin will never be forgotten, even by the little children that took part in it.

The people having heard of his coming, his trip from Austin to Dallas was like a triumphal procession; never before or since has such an outpouring of the people been seen in Texas.

Arriving at Dallas he was received by the military, the civic associations and an immense concourse of people, and his stay while in that city was one continued ovation. Men, women and children were never satisfied until they had an opportunity of seeing their honored guest, and mothers were proud to have him lay his hands upon their children by way of recognition.

The people from every part of the State were sending committees for him to visit their particular section or town. He, however, found it necessary, from constant excitement and fatigue, to leave for his home in Memphis. On his way thither, at Mar-

shall, Texas, he was accorded the same hearty welcome and complimentary attentions that had been given him during his entire journey through the country.

In fact, he was entertained and honored throughout the State more like a victorious general passing through the country on a triumphal march after winning great battles, than a disfranchised citizen, the representative of a lost cause, with no emoluments or gifts to bestow, nothing being left to him but his honor, his great brain, and his true and noble heart beating and hoping for the prosperity of his people.

After he had passed the borders of the State he was quite exhausted from his extended travel and handshaking. This trip made a lasting impression upon him. He loved to dwell on his visit to the Lone Star State, and the welcome he received while there. It was the first really grand ovation that had been given him after the surrender of the armies of the Confederate States. My heart beats proudly when I think my State should be the first to publicly honor a man, not for his successes and the honors he had to bestow, but for the cause he represented and his own personal worth.

Moreover, during his stay with us offers came from various localities tendering him a suitable and comfortable home if he would but consent to remain

or return to the State. These offers he politely declined, as he had previously those of the same character from other States.

Of late years he had many pressing invitations to visit Texas again. Circumstances prevented his coming.

Now never again will we have the honor of his presence. We have draped our State in mourning and tolled our bells, and pronounced thousands of funeral orations, and laid away, amid our tears, what is mortal of him. His burning words of wisdom, his admirable example, his noble deeds, all are immortal, and will abide with us forever.

REMINISCENCE.

BY GENERAL A. R. LAWTON,

Ex-Minister to Russia and Quartermaster-General of the Confederate Army.

DISABILITIES and hindrances beyond my control have prevented me from responding favorably to a flattering request by the editors and publishers to prepare an article for the "Life and Reminiscences of Jefferson Davis." But now that I am kindly urged to do so, I cannot refrain from the attempt, at the last moment, to pay a *short* tribute to one I so honored and loved while living, that I cling to the memory of his virtues and his services, now that he is in his grave.

Perhaps I can best serve the cause of truth and justice by a plain, unvarnished statement of some things which I had exceptionally good opportunities to observe, as to the ability, character, conduct and temper of Mr. Davis, especially as they affect official people and public affairs.

My first acquaintance with Mr. Davis was in the summer of 1854, when he was Secretary of War. I was sent to Washington, with the Mayor of Savannah, to secure the use of Oglethorpe Barracks for the police force of the city. We were warned that our mission would probably be fruitless, but it

JEFFERSON DAVIS AND THE CONFEDERATE GENERALS.

proved entirely successful; and Savannah had the use of the Barracks for a number of years, to the mutual benefit of the United States Government and the city. The prompt and practical manner in which this application was treated by the Secretary of War, all minor impediments being brushed aside, while the utmost care was taken to fully protect the interests of the Government, made on me a deep impression, which has survived to this day. Later on in that summer Mr. Davis accompanied President Pierce to the mountains of Virginia, where I happened then to be. The short official interviews at Washington were there followed by less restrained social intercourse, which proved to be most interesting and instructive. The extent and accuracy of his knowledge of men and things, and his exceptional capacity for imparting information in familiar, yet beautiful language, increased and completed the impression made on me in Washington. Naturally, I then became much interested in his public career. I met him again, casually, at the house of a friend, in the State of New York, where he had gone on public business, in the early autumn of 1860. Except in this instance, I did not see Mr. Davis until June, 1862, when I passed through Richmond on my way from the coast of Georgia, to join Stonewall Jackson's command in the Valley. He had then been for more than a year the diligent, toiling,

faithful, President of the new Confederacy. Labor, responsibility and care had already made their mark upon him, and seriously impaired his health. Yet, still a splendid horseman, as he rode along the lines around Richmond, visiting the various points of military interest, he was a figure not to be forgotten. Nor less did he impress me in the bosom of his family, the tender husband and father, the refined gentleman, the courteous and kindly friend.

The exigencies of that terrible and glorious campaign of 1862, and its results to myself, prevented my seeing the President again for nearly a year, when I reached Richmond to report once more for active service in the field. But I found that the President had determined to assign me to duty as Quartermaster-General. I was thus detained in Richmond, and brought into close official relations with the Executive Department of the Government. It would be too personal to discuss here the feelings of hesitation, reluctance and anxiety with which I finally accepted so grave a trust. Suffice it to say, that for some time previous, and until the final overthrow of the Confederacy, the all-absorbing problems to be solved were field and railway transportation, and supplies for the Army—the first under the exclusive control of the Quartermaster's Department —and the same department, in much larger measure than all others combined, responsible for the latter.

With no rolling-mills nor locomotive works to replenish dilapidated railways, while armies in the field were hundreds of miles distant from the sources of supply—every part of our territory specially devoted to the raising of grain, wool, cattle and horses, either laid waste or in possession of the enemy—how were we to feed, clothe and transport our armies, and furnish horses and forage for wagon trains, cavalry and artillery? The thorough comprehension of the situation by Mr. Davis impressed me forcibly on our first interviews in this new relation. And while he had most distinct and eminently wise views as to the proper division of responsibility everywhere, and was slow to trench upon the functions of any other official, he never forgot that by far the largest share of that responsibility rose up from every inferior in grade, and adhered finally to the superior of all.

This dependence on the Quartermaster-General for the essentials of transportation and supplies necessarily caused the President often to summon him to his presence, or to accomplish the interview through General Lee. Take an example, which is itself of absorbing interest: The battle of Chickamauga was imminent. General Lee was appealed to to send Longstreet's entire corps, horses and artillery from the Rapidan all the way to the shadow of Lookout Mountain, to reinforce General Bragg. Everything

turned on the question of transportation and supply, and all had to be decided and performed with telegraphic haste. If this corps could reach Bragg in time for the impending battle, he might expect success; and General Lee ought, in that case, to detach and risk the absence of this important part of his army. But if Longstreet should reach Bragg too late to take part in the fight, and General Lee's strength diminished to that fearful extent, it might imperil the existence of both armies, and expose our weakness everywhere. The Quartermaster-General must say *when* Longstreet's corps could be delivered at Chickamauga. The time was named, and I tremble now as I recall the responsibility which that reply involved! The first detachment arrived in Richmond from the Rapidan the day after this interview at once filled all the trains in sight, then another, and another—and Longstreet joined Bragg almost at the moment when the firing commenced! The result is known.

Whenever complaint was made to the President by any commander, either in the field or of a military department, or by a *member of Congress* resident therein, that the supply of clothing, horses, forage, field or railway trains belonging to that army or department was inadequate, or less in proportion than elsewhere, before the President would make any response he promptly summoned the

Quartermaster-General, to learn from him the facts —obtained, if possible, the figures, and based his reply thereon. These details are given to show the great care of Mr. Davis to be informed before acting, and, while not avoiding any responsibility himself to call to his aid the chief of every department, and fix that responsibility where the evil could, if possible, be arrested or corrected. And further, I wish to show, at the risk of seeming egotism, what opportunity, yea, what *necessity* there was for me to know that of which I speak. Believing that I am without excuse, if mistaken, I do not hesitate to say, that in every instance of the nature here referred to (and I must refrain from further details) I never saw or heard anything, in manner or speech, that exhibited either undue temper or ill will against any officer or servant of the Confederate States. But the action or inaction of each was discussed entirely with reference to its effect on the result and the "cause." On some of these occasions Mr. Davis was suffering torture from physical maladies, and could not sit at ease a moment.

His thorough and accurate acquaintance with all that was transpiring within the Confederate States, and his familiarity with all obtainable knowledge of things outside that affected our cause, was a constant surprise to those brought into immediate contact with him. Not less conspicuous was his readi-

ness for self-sacrifice, and his unwillingness to condemn, or even harshly to criticise others, until full information was obtained as to where the blame should rest. These qualities were, in part, the source of the reproaches so frequently brought against him, that he adhered to his friends at the expense of the public interest, and upheld them against the general clamor of adverse opinion. This holding fast to personal friendships, and giving countenance where it is most needed, may become a serious fault in a public man of high position and great power. But it is in itself such a beautiful virtue, or such a noble failing, as you may prefer to characterize it, that who of us, with generous instincts, does not love and admire it? Those who looked into the depths of his *human* soul loved him for these very traits! The longer I live the more I prize the name of friendship, which waits and seeks for opportunity to serve, and steps gladly to the front when needed, even though not summoned!

To my mind, the most difficult and painful part which Mr. Davis had to enact was forced on him after hostilities had ceased, by his long and severe imprisonment, and then his retirement from all participation in active affairs during the remainder of his life. A man of great pride, indomitable industry and energy, and of a temper naturally quick and strong, though controlled, he felt—oh! how nobly—

amid his constant physical sufferings, the responsibility of so bearing himself as to bring no reproach on the lost cause; coming to the front only on rare occasions, when attacks upon this cause, and the earnest desire of his fellow Confederates, did not permit him to remain silent. How well he bore himself on these occasions let his record attest!

In connection with his wonderful powers of utterance, and perfect mastery of the English language, I recall with sincere pleasure an inquiry about Mr. Davis, made by Lord Rosebery while on a visit to the United States many years since; and the desire expressed to make his personal acquaintance. His Lordship remarked that Mr. Davis delivered his inaugural at Montgomery, when he (Rosebery) was a youth, about leaving Eton College. The elegant style and high tone of the address so fired his youthful admiration that he followed it up by reading carefully every State paper from that source as soon as published. He said there was nothing finer in all the records of State papers than these messages and proclamations. When I asked him if his curiosity had led him to look at these papers in more mature years, he replied with emphasis, "The re-perusal has more than confirmed the impressions and admiration of my younger days."

As I only undertake to give the result of such desultory observations as I was permitted personally to make, I will add but one more incident.

On my first visit to the North on business, after the war, in the spring of 1866, I had the pleasure to meet Mrs. Davis on the train from New York to Washington, availing herself of the first permit to visit her husband in his prison at Fortress Monroe. At her request I stopped over a day in Washington, to confer with two or three public men, and see whether there could not be some mitigation of his prison life. To my surprise, one of the names she gave me (whom she thought would be willing to further her wishes) was the Senator from Massachusetts, General Wilson, afterwards Vice-President of the United States. I approached him with marked embarrassment, but he soon made one feel at ease. "I have," he said, "very great respect for Jefferson Davis, having served with him in the Senate and on the Military Committee of that body. He is an able, courageous and conscientious man; and though I think he was wrong in some important things, I am sure he was as honest in his convictions as I was. While I insist on the political results of the war, I am utterly opposed to all such personal punishments. If I can do anything to mitigate his situation, you can rely on me. But I fear those in executive authority do not agree with me." Many years elapsed before I had an opportunity to mention this interview to Mr. Davis, and General Wilson had then long been dead. With much feeling

he said: "I knew Wilson well—his honesty and frankness—and am not at all surprised at what he felt, and said to you."

His last utterance in print was a reply to Lord Wolseley's harsh and unjust strictures upon himself in the *North American Review;* and there it was shown that the weight of all his troubles and afflictions, and of his more than four-score years, had not dimmed his intellect, nor diminished his power to marshal the facts of history and rebuke the wrong.

I must close, though the debt I owe to our great chief is not paid. It never can be. For my opinion is not newly formed, but has been long and persistently maintained, that his abilities were of the highest order, his career without spot or blemish, even to the day of his death; and that he illustrated to the full extent the finest traits of the Southern Christian gentleman, the accomplished and ever faithful public servant.

JEFFERSON DAVIS AS I KNEW HIM.

BY HON. REUBEN DAVIS.

"Wherefore I shall not fatigue myself to seek that which is impossible to find, and I shall not consume my life in flattering myself with the vain hope of seeing a man without blame among us mortals, who live upon what the earth presents to us."

"Now Esteem is a sincere homage, which causes a soul to be sincerely touched and affected; whereas Praise is frequently but a vain and deceitful sound." PLATO.

JEFFERSON DAVIS was a man whose high fortune it had been to deserve in full measure that esteem declared by the greatest philosopher to be the worthiest tribute a man may receive from his fellow men. On the other hand, it has been his misfortune to have heaped upon him that ill-considered and undiscriminating praise condemned by the same great mind as an insult to the common sense of the living, and an offence against the majesty of the noble dead. Our hearts revolt against such homage, as though one should seek to enbalm the royal dead with cheap spices and perfumes, instead of breaking above the sacred body that rich casket of ointment, chrism, consecrated to heroes and princes among men, because distilled only from immortal plants—those "actions of the just, which smell sweet, and blossom in the dust."

For my part, in beginning some slight memorial of the noble gentleman whom I have regarded with esteem, admiration and affection for fifty years, and whose death comes to Southern men of my generation as the rending of ties close and strong, I hold that I reverence him but by simple truth. He had splendid and lofty qualities enough, not only to atone for some defects of character and temperament, but, so to speak, to make those defects a necessary part of his individuality.

What sort of friendship is that which plays tricks with a man's memory, making paltry excuses here, or paltry denials there? To be perfectly loyal, a man must love his friend, faults and all, scorning to paint him otherwise than as God made him.

There is nothing in all nature more certain than the great law of limitation, which holds all men in bondage, and, by which, an excess of any one power or quality, presupposes a corresponding deficiency in the opposite direction. And it is the men born with these abnormal forces who become the leaders of nations. It is such men who compel the respect and admiration of honest men, whatever may be their differences of opinion, or however bitterly they may be opposed to each other.

That Jefferson Davis was such a man was proved by the almost universal tribute of the public press—that great voice which can be surely trusted to utter

all that is best, deepest and truest in popular thought and sentiment. I speak now not so much of the warm outpouring of natural Southern emotion, but of the calmer verdict of those who had been his enemies, who still abhorred the creed to which he died steadfast, but who honored themselves in giving him due honor. In one of these articles, written in no unkindly spirit, I am sure—the editor spoke unconsciously a proud word for the South. He said: "The South gives itself up to passionate lamentation for Jefferson Davis, not knowing, perhaps, how much more of pride than of grief is behind their emotion." We accept this without question, and glory in the knowledge that when a whole people knelt by the bier of the man whom the South delighted to honor, a grief untainted by shame or dishonor filled their hearts.

When a man lives to extreme old age, there can be only a narrow circle in which his loss is keenly felt as a personal sorrow, and very few whose lives are changed by his going away. Of those who live now, few remember Jefferson Davis in his prime, scarcely any in his early youth. I do not know if there is a single survivor of the class who were his comrades at West Point, or of those who shared with him the adventures and dangers of the Black Hawk War. That he distinguished himself from the beginning of his career as a student and soldier, is well known.

While still a very young man, fate dealt him a cruel blow, which changed the current of his life at the time, and, by so doing, altered the whole course of his future. His young wife, to whom he was devotedly attached, died a few months after marriage, and he mourned for her as a man mourns for the love of his youth. Withdrawing himself from his accustomed pursuits and associations, he retired to his estate at Brierfield, where he lived for ten years in great seclusion. These ten years were devoted to patient study, and it is no doubt to this prolongation of his student life that he owed the ripeness of his knowledge, and the polished beauty of his style, both in speaking and writing. The course of study adopted by him, and his unwearied investigation of all questions appertaining to human life and the science of government, fitted him to adorn the high places he was destined to fill.

One defect in his mental structure—the too minute attention to detail and form—had been hardened into a fixed habit by his military training. Had his destiny led him to rulership in a settled and powerful government, ruled by precedent, and requiring only a firm, strong hand to guide, and a polished intellect to adorn, this training would have been admirable. A revolution calls for different qualities, and a man less great than Jefferson Davis might have possessed an order of talent far more effective

in great emergencies. Gifted with some of the highest attributes of a statesman, he lacked the pliancy which enables a man to adapt his measures to the crises. His determination was fixed to bend the crises to his measures.

In 1843 an important issue claimed the attention of our people. This was the repudiation of the Union Bank bonds. As this question was one of great importance, touching the credit and honor of the whole State, it brought out the ablest men both for and against it. Some of those friends who knew Jefferson Davis intimately, and who recognized his wonderful powers of persuasive logic, determined to bring him out of his long retirement at a crisis when he could make a brilliant entrance into public action. They selected an adversary with whom few untried orators would have dared to measure themselves—the renowned L. L. Prentiss. The discussion lasted for two days, and was probably never surpassed in the force and beauty of the speeches. It was claimed that Mr. Davis came off victor. He was, without doubt, far superior to Mr. Prentiss as a debater, and scarcely less fascinating in style and manner of speaking.

It was not until the summer of 1844 that I had the honor of a personal acquaintance with Mr. Davis, though I had before that time regarded him with admiration as one of the most gifted young

men of the South. At a meeting of the Democratic Convention to appoint electors, Mr. Davis had made a speech so brilliant and convincing that, upon its conclusion, the whole body had risen, and nominated him by acclamation for district elector. General Harry S. Foote had been nominated elector for the State at large. Davis and Foote traveled together and made joint speeches.

I had been invited to attend a barbecue at Davis' Mill, on the line dividing Tennessee and Mississippi, and the day before, reached Holly Springs in time to hear the discussion. It was there that I first heard Mr. Davis speak, and was captivated by his lucid argument and delightful oratory. I do not think that I ever listened to any man with more pleasure and admiration, and, I may say here, that his speeches always impressed me in the same manner, even when, as afterwards happened, I was unable to adopt his side of the matter under discussion. At that time, however, there was no discord in our opinions, and I recall as among the most agreeable recollections of that by-gone time, our subsequent journey to Aberdeen, where Davis and Foote were to attend a great barbecue, and to be my guests for some days.

Everywhere they went they were received with enthusiasm, and from that canvass may be dated the ascendency which Mr. Davis began to hold over the popular mind and heart of Mississippi. He was

elected to Congress, but resigned when chosen Colonel of the First Mississippi Regiment of Volunteers for the Mexican War. His regiment was made up of the best material in the State, and well officered. At first the men resented the strict discipline their colonel was wise enough to enforce, and for a time he was somewhat unpopular in consequence. Afterwards they realized the advantages of this severity, and, having found their leader as fearless in action as he was resolute in discipline, they almost idolized him.

Nothing could have been finer than the handling of that regiment in the battle of Buena Vista—nor more heroic than the personal courage of Colonel Davis. Although painfully wounded early in the morning, he continued his duty as if unhurt, even when urged by General Taylor himself to leave the field. His reply was noble and characteristic: "My men are full of spirit and courage, but there might be some mistake, under which they might falter, and so lose the day. I will stay with them till the fight is over." He had that high sense of duty which yielded to no pain of body or personal pride.

When he returned to Mississippi on crutches he was received with that enthusiasm which his great services so well merited. I do not think there was ever a time after that when he did not stand first in the hearts of Mississippians.

Very early in the movement toward secession, he was recognized as one of the leaders of the Disunion party. Believing as he did, first and last in the absolute sovereignty of the States, he never altered his policy, or the conviction that secession was the only safety and duty of the South. I do not believe that personal ambition had any conscious share in determining his action during this time, though he must have known that, should a new government be formed, he would certainly be chosen to fill the highest place in it. That a man of his ambition, and just confidence in his ability, and in the affection and admiration of the Southern people, could have been contented with a subordinate place in a revolution which he was so active in bringing about, was not to be expected.

But that he was sincerely devoted to the cause for which he fought, and that he believed in the principles of that cause with all the force of a mind clear in its convictions, and a character tenacious even to obstinacy in its determinations, cannot be doubted. His was essentially a strong and forceful nature, and he possessed the grand quality of steadfastness in its fullest measure.

Resenting opposition with the unalterable resentment of a reserved, proud and self-centred nature, it was not a possibility with him to recognize the justice of such opposition, even when proved by the

fatal results of a contrary policy, From this characteristic, it followed almost necessarily that he was sometimes obstinate in measures which afterward proved disastrous to the cause to which his whole heart was devoted; and that his prejudice for and against certain men, led to grave errors in selection for, and exclusion from, places of trust.

It is idle now to question how far the result could have been changed by a different policy, or whether the great game of war and politics could have been so played as to give victory to the South; worse than idle for even those who would then have died for the cause, no longer regret that it is a lost one. Still it cannot be denied that our whole policy was from the first fatal to all hope of success. Only the splendid courage of our soldiers, and the skill of a few of our commanders, could have prolonged the struggle through four wretched years. Of those years, I confess I cannot bring myself to write. It is like a nightmare to recall the bitter days when, as it seemed to me, thousands of lives were sacrificed, untold miseries endured, and the self-devotion of our people poured out in vain. The result which was accepted a quarter of a century ago as a woful necessity, has gradually evolved itself into a national gain. There are few men in the new South, who are not glad of our undivided nationality. The bitterness is that we blundered so fearfully; that we

threw away so many chances, and that our struggle, noble as it was, was embittered by so many ignoble jealousies, and frustrated by so many unworthy enmities.

It was the strength as well as the weakness of Jefferson Davis, that to the last he could not see this. Unbending in his conviction, he was sustained through defeat, captivity, and the long years of enforced inaction, by the serene approval of his mind and conscience. He believed that the cause for which he had toiled and suffered, was just and holy, and that the measures adopted to sustain it were the best which could have been devised under the circumstances.

To my mind, this heroic and good man makes a noble picture, with the ruins of his life's work all around him, and "all but his faith overthrown."

That a man should be right always is impossible—it is an impertinence to expect it of poor humanity. When he has the strength to venture all for a high vision, however mistaken, to live through slow years of defeat and failure, and die, holding fast his integrity, the world can give us no grander spectacle.

As the world is constituted, there is a vulgarizing element in success, with its blatant triumph and sordid following. Always, in History or Poem, it is the good man, steadfast against adverse fortune, who claims the homage of all hearts.

RECOLLECTIONS AND TRIBUTE.

BY HON. GEORGE DAVIS,
Member of Mr. Davis' Cabinet.

"I HAVE said ye are gods, and all of you are children of the Most High. But ye shall die like men, and fall like one of the princes."

Jefferson Davis is dead. A prince has fallen—a true prince in all that most ennobles our manhood. To die in the purple of power and state, to fall in the rush of battle, where cannons are roaring and bayonets are flashing, to sink in the arms of victory, to end in the glare and dazzle of proud achievements—chieftain and soldier as he was—these things were not for him.

After long years of toil and anxiety, of strife and bitterness, of struggle and failure, of hatred and insult and slander, of poverty and misfortune, of weariness, pain and suffering, having finished his course he now rests from his labors—rests in peace. He has passed from earth, enduring unto the end.

> "O! let him pass. He hates him
> That would upon the rack of this tough world
> Stretch him out longer."

Whatever was great in his public life—and there was much—whatever was memorable in his actions,

CONFEDERATE CAPITOL, RICHMOND, VIRGINIA.

as soldier, scholar, orator, statesman, patriot, these things I relegate to history. I desire only to utter a few simple words in loving remembrance of the chief I honored, of the man I admired, of the dead friend whom I loved. What manner of man was this for whom ten millions of people are in grief and tears this day? No man ever lived upon whom the glare of public attention beat more fiercely, no man ever lived more sharply criticised, more unjustly slandered, more sternly censured, more strongly condemned, more bitterly hated, more wrongly maligned, and, though slandered by enemies, betrayed by false friends, carped at by ignorant fools, no man ever lived who could more fearlessly, like a great man who long preceded him, "leave the vindication of his fair fame to the next ages and to men's charitable speeches." Standing here to-day by his open grave, and, in all probability, not very far from my own, I declare to you that he was the honestest, truest, gentlest, bravest, tenderest, manliest man I ever knew: and what more could I say than that? My public life was long since over, my ambition went down with the banner of the South, and, like it, never rose again. I have had abundant time in all these quiet years, and it has been my favorite occupation, to review the occurrences of that time, and recall over the history of that tremendous struggle, to remem-

ber with love and admiration, the great men who bore their part in its events.

I have often thought what was it that the Southern people had to be most proud of in all the proud things of their record. Not the achievements of our arms. No man is more proud of them than I; no man rejoices more in Manassas, Chancellorsville and in Richmond; but all nations have had their victories. There is something, I think, better than that, and it was this, that through all the bitterness of that time, and throughout all the heat of that fierce contest, Jefferson Davis and Robert E. Lee never spoke a word, never wrote a line that the whole neutral world did not accept as the very indisputable truth. You all remember that Mr. Davis did not send a message to Congress, in which he portrayed the condition and causes of things, that all the world did not know it to be true. You know, Mr. Chairman, and you remember, you old grey jackets; yes, you all remember, that when General Lee, in his quiet, modest, reverent way, would telegraph to Mr. Davis, at Richmond, that God had mercifully blessed our arms, not all the lying bulletins that shingled over half the world could make any one believe that there had been a Federal victory. Aye, truth was the guiding star of both of them, and that is a grand thing to remember; upon that my memory rests more proudly

than upon anything else. It is a monument better than marble, more durable than brass. Teach it to your children, that they may be proud to remember Jefferson Davis.

The more you knew him, the nearer you came to him, the more you saw and heard him, the greater he grew.

He has been growing greater and greater for twenty-five years; he will be greater one hundred years hence than he is to-day. Such wonderful and accurate information I never saw. He seemed to me to have traversed the whole course of science and of nature and of art. Whatever was the topic of conversation, from making a horseshoe to interpreting the Constitution, from adjusting a jack-plane to building a railroad, he not only seemed to know all about it, but could tell you the most approved method of doing it all. Some people have an idea, and not a few, I expect, that Mr. Davis was a cold, severe, austere, unfeeling man. There never was a more untrue opinion. No man ever had a better right to know than I. For sixteen months I had the honor to be at the head of the Law Department of the Government, and every sentence of a military court that went to Mr. Davis was referred to me for examination and report. I do not think I am a very cruel man, but I declare to you it was the most difficult thing in the world to keep Mr. Davis up to

the measure of justice. He wanted to pardon everybody, and if ever a wife, or mother, or a sister got into his presence, it took but a little while for their tears to wash out the records.

Hear what General Taylor wrote of him—General Dick Taylor, who knew him even better than I did, and who was himself,

"The knightliest of the knightly race
That since the days of old
Have kept the lamp of chivalry
Alight in hearts of gold."

"In the month of March, 1875, my devoted wife was released from suffering. Smitten by the calamity, I stood by her coffin as it was closed, to look for the last time upon features that death had respected and restored to their girlish beauty. Mr. Davis came reverently to my side and stooped reverently to touch the fair brow, when the tenderness of his heart overcame him and he burst into tears. His example completely unnerved me for the time, but was of service in the end. For many succeeding days he came to me and was as gentle as a young mother with her suffering infant. Memory will ever recall Jefferson Davis as he stood with me by that coffin."

I do not know, but I profess to you that I thoroughly believe that he could never read the story of "Little Nell" or the death of Colonel New-

come without his eyes being bedimmed with tears. Once he was indisposed in Richmond, so sick that the physician confined him to the bed. To relieve the monotony, his wife was reading to him one morning some story—I do not remember what. He was so quiet that Mrs. Davis thought he was asleep, but did not stop for fear of awaking him. She got to that portion of the book where the villain of the story got the heroine into his power, and was coming it pretty strong over her, when suddenly she heard him exclaim: "The infernal villain!" and looking around, the President was sitting up in bed with both fists clenched. Well, this is a little thing; do you respect him less for it? It showed that he was a man, not a cold image set up on a pedestal for us to admire, a man with the faults and weaknesses of human nature, but a man with the great virtues of a great nature. I never saw a man more simple in his habits of life. He surrounded himself with no barriers of forms and ceremonies. The humblest soldier in the ranks, the plainest citizen in the Confederacy, could have as easy access to him as the members of his Cabinet, when such demands on his time were consistent with the demands of the public service. No man ever lived who more thoroughly despised the mere show and tinsel of state and power, and the trappings of office.

Mr. Davis was at the head of one of the grandest armies the world ever saw in a time when "laws were silent in the midst of arms," and I give you my word I never saw him attended by a guard or even by an orderly. His domestic servants and his office messengers were all that he needed, and all that he would have. I say he was never attended by a guard; he was once, and I shall never forget the pleasure with which he told me of it. When General Lee was encamped on the banks of the Chickahominy, near Richmond, Mr. Davis was in the habit every afternoon, after the business of his office was over, of riding out to his headquarters. Upon these visits he always went on horseback, and generally alone. Upon one occasion he was detained later than usual, and night had fallen before he left General Lee's tent. As he rode along he heard a horse approaching rapidly, and presently a cheery young voice cried out, "Good evening," and as he turned to salute, a young lad rode up to his side—a mere boy of sixteen or seventeen years of age, but he wore the grey jacket, and had his rifle on his shoulder and his revolver in his belt. "Good evening, is your name Davis?" "Yes." "Jefferson Davis?" "Yes." "I thought so. Now, don't you think you are doing very wrong to be riding around in the dark by yourself?" Mr. Davis said he was within our lines, and had nothing to fear from

Confederate soldiers. "It ain't right," said the boy, "for there are bad men in our army as well as in all armies." Mr. Davis, in his kind and gentle way, entered into conversation with him, and they rode on five or six miles together, until they reached the fortifications of the city, when the boy drew up and said: "Well, I'll turn back now. Good evening," and rode away into the darkness. The brave lad thought the President was in danger, and he made himself his body-guard, determined to see him through; and he would have died for him there upon that lonely road with as much bravery and cheerfulness as thousands of his comrades were dying every day for the cause Mr. Davis represented.

Ah, his people loved him, and have met together to-day to show it to the world. I once witnessed a scene which showed how the people loved him. In May, 1867, after two years of the most brutal treatment, the most brutal imprisonment the world ever saw, outside of Siberia, unrelieved by the slightest touch of kindness or generosity, Mr. Davis was brought to trial before the Federal Court in Richmond. I chanced to be there, and promised Mrs. Davis, as soon as I had any intimation of what the court was going to do, to come and report. I sat in the court when Chief Justice Chase announced that the prisoner was released. I never knew how I

got out of that court-house, or through the crowd that lined the streets, but I found myself in Mrs. Davis' room and reported. In a little while I looked out of a window and saw that the streets were lined with thousands and thousands of the people of Richmond, and scarcely passage was there even for the carriage in which Mr. Davis rode at a funeral gait; and as he rode every head was bared, not a sound was heard, except now and then a long sigh, and so he ascended to his wife's chamber. That room was crowded with friends, male and female. As Mr. Davis entered they rushed to him and threw their arms around him. They embraced each other, old soldiers, men of tried daring, cried like infants. Dear old Dr. Minnegerode lifted up his hands, with big tears rolling down his cheeks, and the assembled company knelt down, while he offered up a short thanksgiving to God for having restored to us our revered chieftain.

Now, what more can I say? I have endeavored to give you these little personal traits of Mr. Davis in order that you might know him better. I have said he was a prince. He was far better than that. He was a high-souled, true-hearted Christian gentleman. And if our poor humanity has any higher form than that, I know not what it is. His great and active intellect never exercised itself with questioning the being of God or the truth of His reve-

lations to man. He never thought it wise or smart to scoff at mysteries which he could not understand. He never was daring enough to measure infinite power and goodness by the poor, narrow gauge of a limited, crippled human intellect. Where he understood he admired, worshipped, adored. Where he could not understand, he rested unquestioningly upon a faith that was as the faith of a little child—a faith that never wavered, and that made him look always undoubtingly, fearlessly through life, through death, to life again.

"MY DEAD HERO."

BY CHARLES MINNIGERODE, D.D.,
Mr. Davis' Pastor during the War.

THAT is the plaintive name given to him in a personal letter to me by the one who knew him best and loved him most—his noble, stricken widow. And millions have responded in a loud and solemn echo, "*Our Dead Hero.*"

I do not know that History, in any time or country, has witnessed such deep-toned, universal feeling, such a spontaneous upheaving of the deepest sorrow and sympathy of the heart, and, as if standing at his grave, from every quarter of the South, people poured out their lament, their admiration, loyalty and love in such irrepressible manifestations.

In the great epochs and events of History there ever rises one man, who seems to be pointed out by Providence as the leader in the struggle, and in whom the conflict is represented and, as it were, incarnated. A Cromwell, William of Orange, our own peerless Washington—not one of them were the originators, the cause of events. Circumstances, the necessities of the times, brought them to the surface, and put them in the place for which Providence had called them and fitted them. If I have understood

SAINT PAUL'S CHURCH.

Where Mr. Davis attended.

WASHINGTON'S STATUE.

Under which Mr. Davis delivered his Inaugural Address.

Mr. Davis' position at all, he gloried in the Revolution of the Colonies in 1776 as the struggle for the rights and liberties which belonged to them as their natural claims which the home-country denied to them. The secession of the Southern States was in defence of their constitutional rights, which were threatened by the aggressive and unconstitutional policy of the Government. That Government was a union of the separate Colonies as sovereign States, which delegated certain powers to the General Government as the central agent of the sovereign States. The debate about their mutual relation was long, and the two views of a centralized nation and a union of sovereign States existed from the beginning. But there would have been no United States at all if the States' rights had not been established by the Constitution. It is the fundamental and cardinal bond of the different States, which, only on these terms, at last ratified and accepted the Constitution. The right of States to withdraw when they deemed themselves wronged by measures of the Central Government was claimed more than once by Northern States, while there was an equilibrium in strength and power of the two sections. But the bond of union, with the glorious recollections and struggles of the common country, prevented action. It was only when the North became overwhelming in power, and its population growing from year to

year, that separation or withdrawal became a possibility. Compromises upon compromises staved off the danger, but did not secure the minority of the States against the aggressive policy of the North. Noble men in the North and South labored for years to heal the breach, and Jefferson Davis was among the foremost to labor for the Union and urge the policy of patience, forbearance and hope, dreading separation as the most unhappy event. But in vain. The strife went on; the breach widened. And at last the Southern States felt themselves forced to meet what to them appeared as secession on the part of the North from the fundamental and cardinal features of the Constitution, by their constitutional right to withdraw (they did not think it right to disobey or rebel while part and parcel of the United States Government); when delay would have eventually resulted in the subjugation of the South to mere majority, and the surrender of all their liberties guaranteed by the Constitution, reducing the sovereign States to mere provinces—then it was not revolution or rebellion, but the resort to their constitutional right of secession, which was chosen; and life, property and honor were pledged in support of their action.

These were the views of the Southern States, and shared to this day—at least as far as the constitutional question is concerned—by many in the North.

In the very beginning of the trouble I had a long and earnest letter from a dear friend and distinguished constitutional lawyer in the North, acknowledging that we were in the right indeed, but that they were bound to fight us, even in self-defence,—"we cannot do without the South, cannot allow it to become a separate State." The feeling for his section made him consent to do what he held to be constitutionally wrong. And many like him have allowed their sectional allegiance to override their legal scruples.

Whatever may be thought of these views, and however they may be affected by the failure of the Confederacy, it was on their part a struggle for life and liberty, and the right of self-defence when their liberties were threatened.

Jefferson Davis held these views conscientiously and consistently. When his State seceded, he followed the call of the sovereign State, to which he owed his first allegiance.

I have ventured to make these statements, because they are the key to his whole life and his every action. He was one of the most consistent and conscientious of men—"a duty man," as he was in the habit of calling others whom he trusted and esteemed, and whom he gauged by that—and nothing could turn him from what he considered to be his duty. He was as unselfish as it falls to the best

of men to be; he had "no axe to grind," and would have spurned himself for seeking his self-interest or his own glory. He lived and died a true hero in the maintenance of the position into which Providence —"the *vox populi*," alike as what was (to him) "the *vox Dei*"—called him. That call came to him loudly and unanimously from the whole South; and I think all admit that he was the only one who could have conducted the terrible task that was appointed him. He never sought: he was sought. It was his genius, his talents, his character, that raised him from place to place, from honor to honor, and singled him out as the one man the South could trust with the responsibility of Chief of the Southern Confederacy.

Jefferson Davis was the rarest combination of talents and excellency in almost every department: military, political, legal, administrative, moral and, I boldly add, religious.

Military: who earned his spurs and reached celebrity in the wars of his country; by nature perhaps more ambitious in that line than any other, and who, I am sure, would gladly have been in the saddle, and commanded his armies, had not higher duties and his respect for his glorious generals restrained him.

Political: as shown by the influence he gained in every position, and his sagacity, which amounted to

true statesmanship, clear in his views, comprehensive, and yet fully at home in details.

Legal: a mind thoroughly trained in the law, and one of the best expounders of the Constitution—the basis on which he stood in all his actions.

Administrative: to a degree which roused the admiration of the world and even his enemies, and which enabled him to hold together the different views and preferences of people, to create order where was at first only enthusiasm, to employ as his counselors the best talent, and with their help to bind together all the different elements of his wide field, to bring into shape all that was unformed, to take a country unprepared, without regular training, without finances, without the materials of war, shut out from all external help, and conduct and sustain its affairs through four long years of war, suffering, difficulties and wants, when everything had first to be created by his energetic and clear-headed co-operation and direction.

Moral: The glory, I think, of the Confederacy was the order and decency with which everything was conducted, and the example set by its chief. There were more Christian men at the head of the different departments, more soldiers of Christ in officers and men than I have ever known: "Christ was in the camp." I know more of Mr. Davis in this respect than perhaps any other man. I knew more

of his inner life, and saw him intimately in all possible situations: always true, there was not a false fibre in him; always pure, his whole being loathing an impure thought, anything low or corrupting; and when he became a communicant of the Church, he verified in his person, in word and deed, as far as I could judge, that he was "pure in heart," and lived conscientiously in the sight of God. All his habits bore the stamp of that.

And thus I will not say more of him as a religious man. I do not claim to have had much share in the development of his Christian character. I hope I was a help to him as he was to me.

I would not be misunderstood. Though I believe I knew more of this than anybody, except his wife, and though I loved and honored him—a noble, unselfish, guileless character—of course he had his faults: who has not? and made mistakes: who does not? But the man's self-control was wonderful, and the high aim that guided him saved him from the perils of those in such prominent positions, involved as he was in cruel warfare, affected by its harrowing and ever-changing situations.

I would not be astonished if he had been "a good hater," such as Dr. Johnson "liked." All strong men have strong feelings. But it was more against the wrong-doing of men, than their persons. There was a generosity in him and a large-hearted disposition which was ready to forgive.

With all his calmness and sagacity, such was his want of guile, that he was perhaps liable to fall under the influence of injudicious, perhaps even false friends, at least for a time. Like all of us, he had his prejudices and his preferences; but if he had faults like these, they were the result of his unsophisticated, guileless nature, which looked for the good in people rather than the evil. His gentleness was charming, and in a thousand ways he showed his sympathy with the poor and needy. The war had not hardened him. I have occasionally been led to intercede for a prisoner of war, and he always took the side of mercy. I have known ladies—mothers from the North—to intercede in behalf of their sons, and leave him with blessings and tears of gratitude.

I have heard him speak of his old friends of West Point, on either side, with the deepest interest, and always with dignity and doing justice to his enemies in the conflict impartially and even heartily. He was a true gentleman and soldier.

That any man should dare, at this time, when the true history of his conduct towards the prisoners of war is made known and documentarily proved —should dare to repeat the extravagant and sensational outcries of his vindictive maligners, and be low enough still to make capital of it for political, and South hating purposes, and that not only before mobs, but in the Congress of the United States, is

almost incredible. The investigation of this subject is a dangerous thing for his defamers, be they who they may.

His unselfishness was unsurpassed. Like a second Sir Philip Sidney, whenever offers of pecuniary help were made to him—much as he really needed it—he declined them courteously and advised that they be given to his poor soldiers and people.

The events of his life are so closely connected with the events of the war, and have been spoken of and written of so often that I pass them. My connection with him was chiefly that of his pastor, and I will not prolong this article by retailing what I have said elsewhere. To many it would not be very interesting, perhaps. But all I have said of him, and his character is the result of my knowledge of him, through my personal, intimate intercourse during the war, during his imprisonment and since.

It was worth seeing a man like him pass through the changing scenes of his eventful life, and watch the calm dignity, the firm determination, resolution to do his duty and trust in God and in the righteousness of his cause.

I remember the last meeting with him before the failure of our cause. I had dined with him in company with Mr. Halcomb and a member of the Virginia Legislature (I do not remember his name now), and after dinner we retired to his little ante-cham-

ber, speaking of various things, when General Lee came in, the soldier, the gentleman, the honored friend—just from the army before Petersburg. Calm and dignified as ever, he looked sad and thoughful, and the conversation soon turned on our condition. We all knew that it was as alarming as could be. Our friend from the Legislature said to him, "Cheer up, general. We have done a good work for you to-day. The Legislature has passed an order to raise an additional number of 15,000 men for you." General Lee bowed his head meekly: "Yes, passing resolutions is kindly meant, but getting the men is another thing. Yes," he continued, with flashing eyes, "if I had 15,000 fresh additional troops, things would look very different." Mr. Davis knew how true were the fears of his general. It was sad to see these two men with their terrible responsibilities upon them and the hopeless outlook. Sad at heart, we left them to consult in lonely conference, I suppose about the possible necessity of evacuating Richmond.

The 2d of April followed soon after this. Perhaps a strictly correct account may not be improper. It was Sunday, a beautiful Sunday like that of the first Manassas, and the air seemed full of something like a foreboding of good or bad. All expected a battle, and I know that wagons were held in readiness for transportation of commissary stores, ammu-

nition, etc. The beautiful church of St. Paul, in its chaste simplicity and symmetry, was filled to the utmost, as always during the war. Mr. Davis, who never failed to be in his pew unless when sick or absent from the city, was there, devoutly following the services of the church. It was the regular day for the Holy Communion. Nothing had occurred to disturb the congregation, though anxiety was in many a heart. As the ante-communion service was read and the people were on their knees, I saw the sexton go to Mr. Davis' pew and hand him what proved to be a telegram. I could not but see it. Mr. Davis took it quietly, not to disturb the congregation, put on his overcoat and walked out. On communion occasions I was wont to make a short address from the chancel. While doing so, the sexton came in repeatedly and called out this one and that one, all connected with the government and military service. Of course the congregation became very restless and I tried to finish my address as soon as I could, without adding to the threatening panic. But when the sexton came to the chancel-railing and spoke to Rev. Mr. Kepler, who assisted me, they began to stir, and I closed as quickly as possible. Then Mr. Kepler told me the provost-marshal wanted to see me in the vestry-room. I went out and found Major Isaac H. Carrington, who informed me that General Lee's lines

had been broken before Petersburg, that he was in retreat, and Richmond must be evacuated. As nothing would occur till the evening, he asked my advice whether the alarm should be rung at once or in the afternoon. We determined to wait till 3 o'clock, and I returned to the chancel. As I entered I found the congregation streaming out of the church, and I sprang forward and called out, "Stop! stop! there is no necessity for your leaving the church;" and most of them (all who had not left before I got back) returned. Then I recalled my appointment for service that night, told the people that we had met with disaster before Petersburg, and a meeting of the citizens would be called by the alarm-bell at 3 o'clock in the Capitol Square; that there was no occasion for them to leave at once, and requested the communicants to stay to the celebration. About 250 or 300 remained, and some felt as if they were kneeling there with the halter around their necks. The panic was so great.

That evening Mr. Davis left Richmond. A week later, after the battle of Appomattox, General Lee surrendered, and whilst General Johnston was still in the field and Kirby Smith with his army on the Mississippi, the Confederacy was virtually at an end.

By the request of the publishers the incidents of my intercourse with Mr. Davis—although they have

already appeared in some newspapers—are here inserted to make the article complete.

I cannot describe my meeting with Mr. Davis in his cell. He knew nothing of my coming, and it was difficult to control ourselves.

Mr. Davis' room (he had been removed from the casemate, and the infamous outrage of putting him in chains) was an end room on the second floor, with a passage and window on each side of the room, and an ante-room in front separated by an open grated door—a sentinel on each passage and before the grated door of the ante-room. Six eyes were always upon him day and night; all alone, no one to see, no one to speak to!

I must hurry on. You may yourselves make out what our conversation must have been.

The noble man showed the effect of the confinement; but his spirit could not be subdued, and no indignity—angry as it made him at the time—could humiliate him.

I was his pastor, and of course our conversation was influenced by that and there could be no holding back between us. I had come to sympathize and comfort and pray with him.

QUESTION OF COMMUNION.

At last the question of the Holy Communion came up. I really do not remember whether he or I

first mentioned it. He was very anxious to take it. He was a purely pious man, and felt the need and value of the means of grace. But there was one difficulty. Could he take it in the proper spirit—in the frame of a forgiving mind, after all the ill treatment he had been subjected to? He was too upright and conscientious a Christian man "to eat and drink *unworthily*"—*i.e.*, not in the proper spirit, and, as far as lay in him, in peace with God and man.

I left him to settle that question between himself and his own conscience and what he understood God's law to be.

In the afternoon General Miles took me to him again. I had spoken to him about the communion and he promised to make preparation for me.

I found Mr. Davis with his mind made up. Knowing the honesty of the man, and that there would be, could be, "no shamming," nor mere "superstitious belief in the ordinance, I was delighted when I found him ready to commune. He had laid the bridle upon his very natural feeling and was ready to pray "Father, forgive them."

A NOTABLE COMMUNION.

Then came the communion—he and I alone, but with God.

It was one of those cases where the Rubric cannot be binding.

It was night. The fortress was so still that you could hear a pin fall. General Miles, with his back to us leaning against the fireplace in the ante-room; his head in his hands not moving; the sentinels ordered to stand still, and they stood like statues.

I cannot conceive of a more solemn communion scene. But it was telling upon both of us; I trust for lasting good.

Whenever I could I went down to see him, if only for an hour or two; and when his wife was admitted to see him it was plain that their communings were with God.

Time passed; not a sign of any humiliating giving way to the manner in which he was treated; he was above that. He suffered, but was willing to suffer in the cause of the people who had given him their confidence and who still loved and admired and wept for the man that so nobly represented the cause which in their hearts they considered right and constitutional.

A USELESS APPEAL TO STANTON.

His health began to be affected. The officers of the fortress all felt that he ought to have the liberty of the fort, not only because that could in no way facilitate any attempt to escape, but because they knew he did not wish to escape. He wanted to be tried and defend and justify his course. I happened

to be in Washington for a few hours at that time, and as I had been told by Rev. Dr. Hall more than once that Mr. Stanton spoke of me very kindly, he encouraged me to see him about any matter I thought proper in Mr. Davis' case.

I went to see Mr. Stanton. He had recently lost his son and had been deeply distressed—softened one would think; I hoped so. I was admitted.

A bow and nothing more.

I began by expressing my thanks to him for allowing me to visit Mr. Davis, and that as I was in town, I thought it would not be uninteresting to him to hear a report about Mr. Davis.

Not a word in reply.

I gradually approached the subject of Mr. Davis' health, and that without the least danger of any kind as to his safe imprisonment he might enjoy some privileges, especially the liberty of the fort, or there was danger of his health failing.

The silence was broken.

"It makes no difference what the state of the health of Jeff Davis is. His trial will soon come on, no doubt. Time enough till that settles it."

It settled it in my leaving the presence of that man.

BAILED.

But the time came for his release. The way he conducted himself just showed the man, whom no

distress could put down nor a glimpse of hope could unduly excite. He had seen too much and had placed his all in higher hands than man's.

We brought him to the Spotswood and then to the custom-house. There the trial was to take place. We were in a carriage, the people, and especially the colored people, testifying their sympathy. Mr. Davis was greatly touched by this.

All know that the proceedings in court were very brief.

Mr. Davis stood erect, looking steadily upon the judge, but without either defiance or fear. He was bailed, and the first man to go on his bond was Horace Greeley.

Our carriage passed with difficulty through the crowd of rejoicing negroes with their tender affection, climbing up on the carriage, shaking and kissing his hand, and calling out, "God bless Mars Davis." But we got safely to the Spotswood.

We found Mrs. Davis awaiting us, and the Hon. George Davis, Attorney-General of the last Cabinet, and a few others.

Mr. George Davis and I just fell into each other's arms with tears in our eyes.

THANKSGIVING.

But Mr. Davis turned to me: "Mr. Minnigerode, you have been with me in my sufferings, and com-

forted and strengthened me with your prayers, is it not right that we now once more should kneel down together and return thanks?"

There was not a dry eye in the room.

Mrs. Davis led the way into the adjoining room, more private; and there, in the deeply-felt prayer and thanksgiving, closed the story of Jefferson Davis' prison life.

His end has come and silence reigns over his grave. But I cannot close without referring to Mr. Davis' home life, just in a few words, for delicate regard for the feelings of the living, forbids me to draw the vail from that sacred spot. It was a bright, happy home, in the midst of our trials and dangers. He shone there in his best light, his gentle, courteous, loving character, sustained by the truest wife in all his trials and sorrows, sharing them and bearing them with a constancy and loving bravery, such as is the glorious privilege of womanhood. Wherever the memory of the "dead hero" is revived in the hearts of his people, there stands beside him, and will ever be loved and honored that noble woman, *the wife of Jefferson Davis.*

AN AMERICAN TO BE PROUD OF.

BY COL. CHARLES MARSHALL,
Member of General R. E. Lee's Staff.

THE last time I saw Mr. Davis was at a memorial meeting in Richmond in honor of his distinguished associate, Robert E. Lee, and to-night is the first opportunity I have had of giving voice to my undying respect and veneration for him. I wish to say something to defend him from the assaults made upon him, and to vindicate his right to the place he holds in the hearts of the Southern people, and which he will hold as long as a Southern heart beats.

The course of the Federal Government toward Mr. Davis has caused him to become the representative of the people of the Confederate States, and of those who held their views, in a much broader sense than he might otherwise have been. The people of the South, while agreeing in the main in assigning to Mr. Davis the foremost place among Confederate statesmen, and without dissent assigning to him the first rank as a patriot, a pure and disinterested leader and a fearless representative of their principles, differed in their opinion as to the general policy of the Confederate Government under his administration. But the sight of Mr. Davis in chains, and

pursued with all the inventions of envy, hatred and malice, and all uncharitableness effaced these differences, and the Southern people accepted him with one consent as the representative of their cause.

Thus it came to pass that the policy of the Federal Government more than anything else helped to keep in the memory of the people the exciting subjects connected with the war, and to minister to the fierce and vindictive passions that the war had kindled. The Northern people came to regard Mr. Davis most unjustly as a political sinner above all other sinners, and to the people of the South he became more fully than he had been during the war, and more fully, perhaps, than he would have been under different circumstances after the war, the representative of Southern views, of Southern opinion and of Southern regret.

On the one hand, the imprisonment of Mr. Davis, the threat of an ignominious death, the false charges made against him, the vile calumnies heaped upon him, turned upon him the full force of Northern prejudice and passion. On the other hand, his sufferings, his persecution, and above all his high and unshaken courage, turned toward him the ardent sympathy and love of his generous fellow-citizens of the South.

As we stand to-day beside his open grave it cannot be inappropriate to consider for a moment the title of Mr. Davis to the place that he holds in the

hearts and minds of the Southern people, and in passing to inquire whether the judgment against him pronounced by almost all the people of the North is warranted by the facts.

From the beginning of those unhappy days of blood and strife it has been the custom of Northern speakers and writers to represent the people of the South as having been led astray by their political leaders, and to have undertaken to destroy the old Union and to create an independent government for themselves under some sort of compulsion, and to speak of Mr. Davis as the leader. Nothing could be further from the truth. If ever there was a spontaneous movement of any people, that of the Southern people became such a movement when the proclamation of President Lincoln, of April 16, 1861, presented the real issue to their astonished view. That proclamation and the hostile measures toward the South which quickly followed it forced the most reluctant to admit to themselves what they had long refused to believe—that the real issue between the people of the South and those into whose hands the control of federal power had fallen involved the continued existence of constitutional government for the States of the South, indeed, for all the States, and the maintenance of rights older than the Constitution, older than the Union, and higher and more sacred than either the Union or the Constitution.

In such an emergency and with such vital interests at stake, they greatly mistake the character of the Southern people who suppose that they needed to be led or driven to meet the advancing storm of battle as it rolled down upon them. It is safe to say that up to the middle of April, 1862, the greater part of the preparations for war had been made by the States, or by the spontaneous action of the people themselves. It will thus be seen that so far is it from the truth that Mr. Davis was in any sense the author or leader of the secession movement, he was selected by the people as best fitted by his ability, his experience, his fidelity to principle, his tried courage and his exalted character to lead a movement of the people in a time of imminent public danger.

It is as the trusted leader in the cause I have described that Mr. Davis possessed and deserved, in the midst of the most arduous labors, the most perplexing cares, the greatest dangers, the sorest trials, the love and confidence of the great body of the Southern people, including the most eminent commanders of their armies, and it is as such a leader in such a cause that he has this day gone to his grave followed by the undying gratitude and veneration of all for whom he endured and dared so much. There is nothing in his life and history to impair his title to that gratitude and veneration. If it be treason to

prefer constitutional liberty and those rights which are as the breath of life to men of our race to territorial greatness and material wealth, then Mr. Davis was a traitor, and so, please God, may every American be whenever that constitutional liberty and those ancient rights shall be again put in jeopardy by enemies at home or abroad. In his life and public services before the war there is everything to make us proud of our dead leader.

If devotion to the public service, stainless integrity, great capacity for affairs and spotless purity of life can entitle a public man to respect and esteem, the career of Mr. Davis while connected with the government of the United States, whether as a soldier or statesman, is an example which no friend of his country would like to have neglected or forgotten.

I have called your attention to one or two only of the reasons why we reverence the memory of Mr. Davis. With his death all prejudice should pass away—in his grave should be buried all animosities, and by the side of that grave all men should take a vow that in the service of the Government and the Union they will bring cheerfully and gladly, as far as lies in their power, the fidelity, the truth, the faith, the courage and the endurance of him whose name we are here to-night to honor. Who is there that is not proud to be the countryman of such a man, who was faithful to the last?"

ADDRESS AND TRIBUTE.*

BY GENERAL FITZHUGH LEE,

Governor of Virginia.

WHEN the messenger of Death, flying with electric wing from the "Crescent City" to Virginia's capital, brought to us his recent sad tidings, the hand of mourning touched the heart-strings of our people, and they are still vibrating with genuine grief to the accompanying voice of the mother Commonwealth—"How hath the mighty fallen."

A PICTURE OF OUR SORROW.

Aye, a shadow has been cast over our plains and valleys; our rivers roll troubled to the sea; the covering cloak of gloom has o'erspread our towns and cities; sorrow's cloud has tipped our mountain-tops. Virginia weeps for Jefferson Davis! How appropriate is her lamentation! Bound as she has been to constitutional government from the early

* In response to our request that he prepare an article specially for this book, General Lee writes that he regrets, on account of numerous engagements, that it would be impossible for him to prepare anything in time, but he kindly sends us the address, with some changes and additions, which he delivered in the Academy of Music, Richmond, Va., on December 21st, 1889, at a meeting held to induce Mrs. Davis to select Richmond as the final burial-place of Mr. Davis. PUBLISHERS.

formation of the republic by the sword of Washington, the pen of Jefferson, the voice of Henry, the wisdom of Mason, and the efforts of Madison, in and out of the Federal Convention that constructed the Constitution, and mixed with the very marrow of her bones is the knowledge that in constructing that instrument in Philadelphia, in a body presided over by one of her sons, and in its ratification by her afterwards, there was no denial of her right to withdraw from the Union then formed when she should decide to do so; and believing, too, in that sentence of the Declaration of Independence, drafted by another son, that it is the right of the people "to alter or abolish any form of government" that becomes, in their opinion, destructive to "life, liberty, and the pursuit of happiness," and "institute a new government," Virginia was in thorough accord with the constitutional construction of which Mr. Davis was so conspicuous a defender.

It was easy then in those days of '61, for Virginia to exclaim, "Whither thou goest I will go, and where thou lodgest I will lodge; thy people shall be my people, and thy God my God!"

WE WERE HIS PEOPLE.

To-night this splendid assemblage, in gathering to pay homage to his memory, speaks in no uncertain tones to the country that our people to the end were

his people, and that the God who looks down from His throne of mercy beyond the blue dome above, and binds up the broken hearts of the sorrowing wife and children, is the same God to whom we bow in humble submission to this exercise of His divine will.

WHY SHE HONORS HIM.

Do you ask me if Virginia honors Davis? Ask her if she admires courage in a soldier, patriotism in a representative, conscientiousness in a Cabinet officer, integrity in a senator, fearless fidelity in a ruler, and unaffected piety in all that constitutes a Christian gentleman!

If Kentucky produced this hero, we do not forget that she was the daughter of Virginia. If Mississippi was his adopted State, we remember she is Virginia's sister, chained to her by the loving links of a mighty past, bound by the holy memories of the present, and united heart to heart in the great future unrolling before us.

WITHOUT BOUNDS.

As Dr. Hoge so eloquently expressed it on our memorial day, "there should be no geographical boundaries to the qualities which constitute noble manhood." "In seven-fold glory Hope spans the arch of Heaven, and weaves chaplets for the tomb," says another. Let that same Hope leap geographi-

cal limits, and teach the American people to admire an American who measured up to the full height of all that constitutes a noble man.

HIS SERVICES TO THE COUNTRY.

Cannot the North, South, East, and West remember him when, as an officer of dragoons, his life was freely exposed for his country in the Indian wars? Is not the heart of the whole republic big enough to throb with pride when the picture is presented of his charging at the head of his Mississippians, and planting, amid a storm of shot and shell, the Stars and Stripes on the grand plaza of Monterey? Cannot his fame be trumpeted as an inheritance to all sections when he is portrayed bursting with fiery fury through the Mexican Lancers at Buena Vista, carrying proudly to victory the star-spangled banner, when he reddened the burning sands of old Mexico with his blood?

Does not all this, to use Mr. Davis' very words in referring to the battles of the Revolution, "form a monument to the common glory of our common country?"

Did not his splendid administration of the portfolio of war in Franklin Pierce's Cabinet redound to the credit and renown of the United States?

Was not his advocacy and introduction of new systems of tactics, iron gun-carriages, rifle-muskets

and pistols, as well as the "Minnie ball," and the strengthening of the defences on the sea-coast and frontier, productive of benefit to the whole republic?

SECTIONAL HATE SHOULD PERISH.

Perish, then, the sectional hate in the narrow mind of the mover of the resolution that he alone should be excluded from the benefits of the Mexican pension act, for well could Mr. Davis reply to him as Uncle Toby said to the fly, "Go, little wretch, there is room in the world for you and I."

Away, too, forever, with the pitiful prejudice in the heart of the man who ordered his name to be chiselled from the stone which commemorated his successful efforts in erecting a bridge across the Potomac above Washington. What matters it now to the people of the South, if, after all he did to promote the glory of the United States, that there is not magnanimity enough left to conform to the usual custom of putting at half-mast the flag over the department of the government he did so much to adorn, so long as the flag of their affection floats so high above such action, and is so richly draped in the habiliments of mourning at his death?

PASSION DISPELS REASON.

I know when the passions of men are inflamed reason departs; I know amid the clash of arms the laws are silent; I know when blood is spilt human

hyenas roar; but does all this prevent a civilized world from shuddering at the recital of the horrors of the inquisition or the terrors of the French Revolution?

I pray that the curtain of oblivion may be rung down to prevent future ages, when looking upon the great four-year drama of the past, from seeing the blood-stain upon the shield of a great government, placed there in the nineteenth century by the hands of a few men, some of whom, if reports are true, have already been visited by the power of an avenging God. But so long as the sun rolls on in flaming splendor, bringing to light the innumerable mysteries of life; so long as the moon gilds the grassy slope and the wild ravine; so long as there is a restless sea, and the stars of heaven guide the traveler on his way, so long will the finer feelings of noble women and brave men quiver with shame when the finger of past history points to the murder of Wirtz; the suspension of an innocent woman in mid-air, when the rope was closing around the neck of Mrs. Surratt; and to that memorable 23d of May, 1865, when the cold, rough, rattling iron shackles were placed upon the limbs of Jefferson Davis.

MR. DAVIS' IMPRISONMENT.

The sea of oblivion cannot wash out that scene in the underground casemate at Fortress Monroe,

nor can the ears shut out the voice as he exclaimed, "My God! You cannot have been sent to bind me! The war is over. I have no longer any country but America, and it is for the honor of America that I plead against this degradation. Kill me, kill me, rather than inflict on my people through me this insult." Sorry am I for the soldier who had to obey his orders, but may God forgive the man who issued them. I never can!

ANOTHER SCENE.

But let us change the scene. It is the next day, and Washington, the capital city of the United States, is in holiday attire. Two hundred thousand armed men are marching in review before the Chief Magistrate of the republic. Conquering banners are fluttering in the sunlight of peace; bayonets no longer bristle; the rifle's barrel is empty; the point of the sword is turned to the scabbard; the hearts of bronzed and brave veterans beat with happiness at the thought of the old mother at the family fireside, whose lips were already trembling to greet the soldier son's safe return from the war; peace and joy reign in Washington! Go to your homes, Oh, soldiers of the Union; there is an undivided country stretching from lake to gulf, from ocean to ocean. Tell your people of the brave men who were foemen worthy of your steel upon the blood-stained fields of

conflict, who fought and lost without sacrificing their own honor or your self-respect. But whisper it low that the revenge of Government has been settled upon the one man who at that hour lay guarded by sentinels within his prison doors and by soldiers on the watch-towers without, but whose courage was so lofty that the harsh clank of the chain broke against it in vain.

There were many in the ranks of those heavy battalions even at that time who would have averted such treatment to a prisoner of war if they could have done so.

CHARGED WITH HERESY AND TREASON.

But once again, let us change the scene. Stand forth for trial, Jefferson Davis. Upon your shoulder alone shall be placed a violated Constitution, the heresy of secession, and the ruby garment of treason. Let the victim be brought forth and let him have the form of a trial, and then let him die the death of a traitor. And lo! there he stands, clothed in the full robes of his Confederate faith, for no one knows better than he where the powers of the General Government should end and the reserved rights of the States begin. But the trial must proceed, for an hundred thousand dollars of blood-money had been offered for his head, and posterity must be taught that treason is odious and punishable with death. The party in power in the United States Senate and

House of Representatives were eager and impatient, and on the 25th day of September, 1865, called, by resolution, on the President, to know what was the matter. The reports of the Secretary of War and the Attorney-General were submitted, stating that while Virginia was the proper place to hold the court, it was not possible then to hold a peaceable United States court there, and Chief-Justice Chase said he would not hold court in a district under martial law.

AN UNWILLINGNESS TO PROSECUTE.

Later on, on the 10th of April, 1866, the Judiciary Committee of the House thought there was no reason why the trial should not be at once proceeded with, and on the 8th of May, 1866, a grand jury of the United States at Norfolk—Judge Underwood presiding—found an indictment for treason. On the 5th of June, at the session of the court held there, Mr. Davis's counsel begged that he be tried without delay, but the Government, it is said, was not ready. A year afterwards he was admitted to bail, and in December, 1868, a *nolle prosequi* was entered.

NO LAW TO CONVICT.

Why this unwillingness to prosecute? Ah, my countrymen, would I could say it proceeded from a forgiving Christian spirit in the bosom of those in power, but the stern cold facts tell us it was because

the Government did not dare to test the case before a court of justice, for there is not a single line in the Constitution of the United States which prohibits the withdrawal of a State from the American Union, and there were still enough jurists learned in the law and constitutional lawyers profound in the construction of the Government left in the land to say so. And yet Mr. Davis never was a secessionist *per se*, but resigned his seat in the Senate reluctantly, hoping to the last that peace, not war, would be the country's fate. Indeed in his first message to the Confederate Congress he spoke of secession as a necessity, not a choice.

THE GOVERNOR'S PERORATION.

Such is the man. Ladies and gentlemen, the capital city of the Confederacy remembers this evening. For four years he was a familiar figure on our streets, in his executive office, and on horseback as he rode around the lines of fire then circling the city.

When the ship of the new republic was launched he was called to the command and was with her "rocked in the cradle of the deep." Storms of war burst upon her deck before her machinery was even put in motion; but through the thunder's roar, when the cordage was rent, when the breakers were dashing against her, when despair was visible upon the faces of some of the crew, and when she began to settle and sink amid the lurid flashing of the light-

ning, the captain was seen standing calm, heroic, resolute, grand in all the glory of a man, grasping with a firm hand the helm as she sank down, down, in the sea of eternity.

Within the bosom of Virginia repose the ashes of great men whose lips and lives have taught us to love the Commonwealth.

She proudly numbers the graves of Presidents of the Republic. The Father of his country lies buried where the majestic Potomac sweeps in graceful curve upon the shores of Mt. Vernon.

The grave of the distinguished author of the "Declaration of Independence" is found where the Little Mountain rears its proud head from the beautiful plains of Albemarle. The Sage of Montpelier, "the father of the Constitution," is resting quietly at its old homestead, while the remains of two others lie in beautiful Hollywood, near this city, where the waters of the James musically rolling from rock to rock are forever murmuring an eternal requiem.

Virginia, holding in her loving embrace the sacred graves of five Presidents of the United States, opens wide her arms, and asks that she may be permitted to guard the last resting-place of the President of the Confederate States.

Here let the soldier sleep whose sword flashes no longer in the forefront of battle.

Here let the orator be buried upon whose lips

audiences were once suspended magically as if by golden chains.

Here let the statesman rest, watched over and guarded by the city that ever received his loving attention.

Here let the chieftain be brought and buried in May, when a monument is to be unveiled to one of his army commanders, when Nature spreads her carpet of green, when in the aisles of the orchard the blossoms are drifting and "the tulip's pale stalk in the garden is lifting a goblet of gems to the sun." And here too let us erect a monument that will stand in lofty and lasting attestation to tell our children's children of our love for the memory of Jefferson Davis.

Mallory. Benjamin. Walker. Davis. Lee. Reagan. Memminger. Stephens. Toombs.

JEFFERSON DAVIS WITH LEE AND HIS CABINET.

REMINISCENCES

BY UNITED STATES SENATOR REAGAN,

Member of the Davis Cabinet.

I HAVE had a personal acquaintance with Mr. Davis for thirty-two years. I have known him in the domestic circle as the most genial and lovable man I ever knew. I have been with him around the council board and witnessed the great care and ability with which he considered great public questions. I have been with him on the battle-field, and have seen the calm courage with which he faced the chances of death. I have been with him in the hours of victory and of triumph, and never saw him unduly elated. I have been with him in defeat and disaster, and never saw him unduly depressed. The people he served respected him for his virtues and integrity. They admired him for his ability and devotion to duty and to them. They reverenced him for the grandeur and nobility of his character. And they mourn his death with unfeigned sorrow.

The public had the impression that Mr. Davis was an austere and arbitrary man, when just the reverse was the case. He had two characters—one for public affairs and one for his personal and private rela-

tions. He was not hasty at forming conclusions, and was ever ready to receive suggestions from his friends and political advisers. I remember well the first Cabinet meeting I attended. Mr. Davis then informed his advisers that he wanted us to be as frank with him as he would be with us. In the preparation of his messages to Congress he invited the fullest and freest discussion of the subjects treated. I remember well one of his favorite remarks, and that was, "If a paper can't stand the criticism of its friends, it will be in a bad way when it gets into the hands of its enemies." I have always remembered that remark, because it has frequently been my guide in matters of legislation.

In the organization of the various departments under the Confederacy, Mr. Davis, at one of the Cabinet meetings, informed us that we would be called upon to select the men whom we needed to assist us, and he would appoint them. But he impressed upon us the fact that we would be held responsible for the conduct and efficiency of the appointees. Mr. Davis was a civil service reformer in a certain sense. He was firm in his conclusions and patient in his investigations. In his domestic life he was amiable and gentle, but in official life he knew no word but duty. I remember very well our last formal Cabinet meeting. It was after we had left Richmond, and were traveling through the

southern portion of North Carolina. It was just near the border of the two States, North and South Carolina. It was under a big pine-tree that we stopped to take some lunch. Mr. Trenholm, the Secretary of the Treasury, was absent. He had been taken sick at Charlotte, and after trying to keep up with us for about twenty miles he gave out and tendered his resignation. The resignation of Mr. Trenholm was discussed, and it was finally accepted, and I was selected to take charge of his office in conjunction with that of Postmaster-General. I remember on that occasion Mr. Davis said, when I requested to be relieved from that additional duty: "You can look after that without much trouble. We have concluded that there is not much for the Secretary of the Treasury to do, and there is but little money left for him to steal." That was in April, 1865.

Some time after that George Davis, the Attorney-General, asked Mr. Davis' advice about retiring from the Cabinet. The Attorney-General said he wanted to stand by the Confederacy, but his family and his property were at Wilmington, and he was in doubt as to where his duty called him. "By the side of your family," promptly responded Mr. Davis. After the Attorney-General left us there were only four members of the Cabinet left to continue the journey to Washington, Ga., which was our destination. We

put up at Abbeville, S. C., for the night, because we were informed that a lot of Yankee cavalry were in Washington, Ga. At that point Benjamin said he proposed to leave the country and get as far away from the United States as possible. Mr. Davis asked him how he proposed to get down to the coast. "Oh," replied Benjamin, "there is a distinguished Frenchman whose name and initials are the same as mine, and as I can talk a little French I propose to pass myself off as the French Benjamin."

While passing through South Carolina I was particularly struck with Mr. Davis' generosity. We were passing a little cabin on the road, and we stopped to get a drink of water. A woman, poorly clad, came out to serve us. She recognized Mr. Davis, and informed him that her only son was named after him. It was a very warm day, and the cool water was very refreshing. Mr. Davis took from his pocket the last piece of coin he possessed and gave it to the woman and told her to give it to his namesake. At our next stopping-place we compared our cash accounts, and Mr. Davis had a few Confederate notes, which was every cent of money possessed in this world.

Mr. Davis was one of the few men who measured the full force of the war. He from the first contended that it was likely to last a number of years instead of a few months, as many persons predicted.

It was at first proposed to enlist an army of two or three hundred thousand men for six months, for by that time it was supposed that the war would be over. Mr. Davis promptly disposed of that suggestion by declaring that it would take at least a year to organize an efficient army, as soldiers could not be made in a few days. He said it would be wiser to establish a smaller army—one that we could afford to arm and equip. From the first he maintained that it would be a long and bloody war, but many Southern men differed with him, and the result was we were obliged to pass that terrible act of conscription to keep our men in the service.

There is another question that I wish to touch upon in this connection. I have frequently referred to the question of his disabilities, and we have discussed the subject from various standpoints. Invariably Mr. Davis declared that he could not conscientiously ask to have his disabilities removed, for he could not induce himself to believe that he had done wrong. He was firm in his convictions on that point, and nothing could move him.

Mr. Davis was greatly misjudged in many ways. He was the most devout Christian I ever knew, and the most self-sacrificing man. When his plantation was in danger of being seized and the property destroyed, he was urged by friends to send a force of men to protect it. "The President of the Confeder-

acy," he responded, "cannot afford to use public means to preserve private interests, and I cannot employ men to take care of my property." And so when his hill property in Hinds County was threatened, and all his books and papers were in danger of destruction, he again resisted all persuasions of friends to have them protected.

The memory of his services, of his virtues, and of his vicarious sufferings demand this alike from the Christian sentiment and from the manhood of those he served so faithfully. And it is matter of special gratification that the general tone of the greater part of the press of the country, North and South, have treated kindly the memory of this illustrious man.

When General Grant suffered in affliction, the people of the South as well as North gave him their sincere sympathy. When he died the people of the South, as well as of the North, mourned his death. The same feeling of respect for genius, for greatness and for worth, and the same feeling of Christian charity for the dead, and of sympathy for the bereaved who survive, has shown itself North as well as South for Mr. Davis.

This is as it should be, and will have its influence in restoring that more perfect fraternity of feeling which is so necessary and so important to the welfare and happiness of the whole country.

It is fitting in this connection that I should add

the following dispatch and letter, published in the Washington *Star* of December 12, 1889, showing Mr. Davis' participation in this feeling of charity and fraternity:

A CHARACTERISTIC LETTER.

When General Grant was dying at Mount McGregor the Boston *Globe* instructed its New Orleans correspondent to interview Jefferson Davis. Mr. Davis was not seen personally, but a few days later he penned the following letter:

"DEAR SIR—Your request in behalf of a Boston journalist for me to prepare a criticism of Gen. Grant's military career cannot be complied with for the following reasons:

"1. Gen. Grant is dying.

"2. Though he invaded our country, it was with an open hand, and, as far as I know, he abetted neither arson nor pillage, and has since the war, I believe, showed no malignity to Confederates either of the military or civil service.

"Therefore, instead of seeking to disturb the quiet of his closing hours, I would, if it were in my power, contribute to the peace of his mind and the comfort of his body.

[Signed] "JEFFERSON DAVIS."

The people of the Southern States have manifested their deep sorrow for the death of Mr. Davis by messages of condolence, by resolutions of public meetings, by the action of municipal governments, by proclamations of mayors of cities and Governors of States, by resolutions of legislative assemblages, by draping public and private buildings in mourning,

through the columns of the newspapers, by appropriate religious services throughout the South on the day of his funeral, and by the suspension of all business on the day of his funeral.

Such honors have never before been shown to the leader of a lost cause, and few of the successful heroes of the world have ever received such honors as have been paid to the memory of Mr. Davis. The hero and leader of a lost cause, after one of the most stupendous struggles known to history, denied the right of citizenship, powerless to confer benefits on others, he still enjoyed the unbounded respect and confidence and love and gratitude of the people he served with so much ability and fidelity and courage. And while in law an exile among the people who loved him so much, he bore imprisonment, and chains, and deprivation of political rights, and the bitter denunciation of his enemies, with a manly patience and Christian fortitude never before shown by mortal man under such circumstances except in the case of General Robert E. Lee. But his trials and sufferings were greater than those which fell upon our great general. Hannibal, the great Carthagenian general, and Napoleon, the conqueror of Europe, when defeat and disaster fell upon them, complained much of their misfortunes. But Jefferson Davis has borne his misfortunes in dignified and uncomplaining silence. It may be permitted to his friends to say

that in every position he filled in life, his fidelity commanded respect and his ability compelled admiration; whether as a young officer of the United States army, as a successful planter, as a student of the sciences during the years of his retirement from the public service, as a member of the United States House of Representatives, as a colonel in the Mexican War whose genius and courage won the victory of Buena Vista, as Secretary of War in perfecting the organization of the army and otherwise improving the service, in directing the surveys for the Pacific Railroad, in aiding in the extension of the wings of the national Capitol and in the construction of the Smithsonian Institution and constructing the water-works of the national capital, and in the improvement of the public grounds of that city; or as Senator of the United States, where he showed himself the peer of our greatest statesmen and debaters, or as President of the Confederate States, where he did all that human skill and courage could do to sustain the cause in whose service he was engaged. The glories of all these achievements, however, it seems to me, were surpassed by the patience and fortitude with which he met the disastrous results of defeat.

As illustrative of Mr. Davis' self-denial, of his sympathy for the poor and afflicted, and for the wounded and disabled soldiers who suffered in a

common cause with him, I give an extract from a dispatch sent by Henry W. Grady, editor of the Atlanta *Constitution*, in answer to a dispatch sent to him from the city of New York:

To the Editor of the *World:*

"ATLANTA, GA., Dec. 6.—I thank you heartily for your dispatch. Three or four times in the past ten years, touched by Mr. Davis' known poverty, we have started to make a fund for him, and once had a considerable amount subscribed without his knowledge. Each time he gratefully but firmly declined, saying that so many widows and orphans of our soldiers and so many disabled veterans themselves were poor and in need of the necessaries of life, that all generous offerings had best be directed to them and to their betterment. He has grown steadily poorer, and I fear leaves his family nothing."

This is not a proper occasion for the discussion of the question of the righteousness of the cause which he served with such fidelity and ability, and for which he has suffered so much. That must be deferred to other occasions and probably to other times. But his friends may safely leave his fame to the unimpassioned verdict to be rendered by the historian of the future.

ADDRESS.

BY GOVERNOR J. B. GORDON.

*STATE OF GEORGIA, EXECUTIVE DEPARTMENT.
ATLANTA, GA., January 22, 1890.

R. H. WOODWARD & CO., BALTIMORE, MD.

Gentlemen:—Your letter received. The preparation of an article for your "Reminiscences of Jefferson Davis" would require more time than it is possible for me now to devote to it. It would, indeed, be a labor of love, if I were able to accomplish it, but my time is so completely preoccupied that I cannot attempt it.

Very truly yours,
J. B. GORDON.

WITHOUT any time for preparation, or one moment's consecutive thought, you must allow me to speak as the spirit of the occasion may prompt.

To me, as to you, this is one of the saddest, and yet one of the sweetest and proudest occasions of all my life. Saddest, because it is the occasion upon which we have carried to his last resting-place the great chieftain whom we loved, followed and honored. Sweetest, because we have laid him to rest after "life's fitful fever," with all the honors we could bestow, embalmed in the esteem and bound-

*In response to our invitation to Governor Gordon to prepare something specially for the book, he sends us the above letter, and encloses the speech which he delivered in New Orleans on December 6, 1889.—*Pubs.*

less affections of a great and grateful people. Proudest to me, because it was my good fortune to participate in giving to that grand man, dead as he was, the tribute of my respect and love; and now the privilege of taking you all to my heart and saying, as he would have said with the last lisp of his tongue, God bless you, my fellow sufferers.

It was my great privilege to know Mr. Davis well, although, as stated on another occasion, I saw him but twice in that eventful period from 1861 to the autumn of 1865. I saw him on the battle-field of Manassas, as he rode in triumph, with the stars and bars of the Confederacy floating in the white smoke of the battle, and with the shouts of his victorious legions ringing in his ears.

The next time I saw him was in prison at Fortress Monroe. It is no exaggeration to say that he rose to grander height as prisoner of State, as self-poised and unbending he bore his misfortunes, and

WORE HIS SHACKLES FOR ALL HIS PEOPLE.

I have followed his course and marked his career from that hour to this with an unfaltering faith that he would neither lower this high standard nor betray the holy trust which he carried in his person. I never doubted for one moment how he would live or how he would die, and I have not been disappointed.

To us, whatever it may be to mankind, it is a

glorious heritage that this Southland has produced so grand a vicarious sufferer. Here is a man upon whom the gaze of Christendom was concentrated, and upon whom criticism has expended all its arrows, and yet no blemish is found in his private character.

It was fitting that around his bier and his body, sacred to us, should have been wrapped the flag that went down with his fall from power. But it was also fitting that above his dead body the stars and stripes of the Republic, for the honor and glory of which his blood was shed, should also have floated.

Could his cold lips speak his injunction would be to us be true to your Confederate memories; be true to the past, but be true to the future of the Union and the Republic as well.

The flag of the Republic, which is our flag in all the ages to come, was made dearer because Jefferson Davis fought in its defense. It is a glorious thought to me, as doubtless to you, that there is not a star upon its blue field that has not been made brighter by Southern courage and Southern patriotism. That there is not one of its red stripes that is not made deeper and richer by Southern blood. That there is not one of its white lines that has not been made purer, whiter and holier by Southern character in all public offices.

Now, my countrymen, I come to the debt we owe the living. Mr. Davis is dead. The grief is ours,

full and sacred. His fame belongs not only to the South, but to his country and to Christendom. Ours it is to cherish. Ours the still higher privilege of taking care of that memory by taking care of those who were

IMPOVERISHED IN OUR CAUSE.

I have been told since I came to New Orleans that his widow, following his illustrious example, declines to accept such tributes as we may choose to offer.

My brothers, the reply I make is, that we did not ask the consent of Jefferson Davis or of his family, when we put the burden upon him that led to shackles for our sakes, nor will we consult any one now, when we choose to pay the tribute due to him and to his children, out of our pockets. If it be thought best to pay it in a particular channel, all right, but calling God to witness the purity of motive and consecration which we feel in this duty, we intend, because of our love for him as our representative; because of our love for those who have shared his fate; because of our love for our own honor, we intend to see to it that his wife and children do not suffer want.

The outside world may not appreciate it, but, so far as you and I are concerned, we feel that not one dollar of property is ours so long as his wife and his

child need our assistance. This we intend to render because Southern manhood demands it as a tribute to the man who suffered for us. [Great applause.] I shall not insult you by asking you if you are ready.

IMPRISONMENT OF JEFFERSON DAVIS.*

BY HON. S. TEAKLE WALLIS,
Member of Baltimore Bar.

THE theme of this little volume,† in itself and without words, is at once a sermon and a history. It tells of a change in the political institutions of a mighty nation more rapid and more thorough than any other which the annals of men record. It points to the melancholy spectacle of a government, founded on consent and consecrated to freedom, converted by the willing hands of a majority of the people whose birthright it was, into a despotism controlled by popular passion and sectional interests. It signalizes, by a conspicuous and incontestable example, the substitution of a scheme of arbitrary violence, for a system based on written constitutions and ruling and punishing only through its laws. More sad, a thousand-fold, than all, it proclaims to us—whether as cause or effect it is unnecessary here to discuss—the decadence of that high and manly spirit, that generous and wholesome sense of right, that love of justice and fair-play,

* This article, written by Mr. Wallis soon after the release of Mr. Davis, has been kindly furnished for this volume.—[PUBS.].

† Prison Life of Jefferson Davis, by John J. Craven, M.D.

which animated and exalted our once noble institutions, through the first stage of their development, as with the inspiration of a great and living soul. The children are yet clinging round our knees, who were born before "State prisoners" were imagined as a possibility upon our soil, and the generation who preceded them—scarce half-grown even now—were taught the stories of the Doges' Palace, the Tower and the Bastille, of Olmütz and St. Helena and Ham, as a warning against the wickedness of kings and lords, and a lesson of thankfulness to the good God, who had made a republic their birthplace. And yet, to-day, after having for five years seen with approval every fortress in the North stuffed full of men and women, dragged from their homes, at midnight or at mid-day, without warrant or authority or even form of law; after having witnessed the infliction upon large classes of their neighbors and friends, of all the contumely and outrage that brutality suggested to capricious and unbridled power, as a penalty for the exercise of freedom of opinion; the masses of the Northern people can behold, not only without shame, but with rejoicing, the long imprisonment and barbarous personal ill treatment of one of their most prominent and distinguished fellow-citizens, in notorious violation of the most rudimental of the principles, on which they go on vaunting, day after day, that their

government reposes. And this too, not in the heat of conflict, when the best of men go sometimes mad with zeal or passion, but in the midst of profound and established peace, when those who were lately in arms against them are not only vanquished but crushed, and nothing stands in the way of perfect harmony and reconstruction but the incapacity or unwillingness of the victors to be either generous or just.

Nor in the political antecedents or personal character or conduct of the chief victim, upon whom the unmanly vengeance of the Northern people is thus wreaked, is there anything to excuse, or even furnish a reasonable pretext for so relentless a persecution. There is no public man now living in the United States who has gone through the political conflicts of the last twenty years with a more stainless name. As a soldier, a senator, a Cabinet minister of the old Union, gallant, able, active and efficient always, and developing those positive and somewhat aggressive traits of character, which provoke and stimulate antagonism and resentment, he never found an enemy so reckless as to question his patriotism or asperse his purity. Even now, shorn as he is of power and influence, the vanquished and captive chief of a ruined and, of course, unpopular cause, with all the personal and official animosities and criminations which belong to such a position

crowding round him, there is yet to be heard among his constituents the first whisper of imputation upon his loyalty to the people who chose him as their leader, or his integrity in the administration of his office according to his judgment. Of those particular political opinions which are now held to be his crime, he not only made no concealment, while he was in the service of the United States, but was their open, avowed, conspicuous champion. He was elected and appointed to places of honor and responsibility, with the full knowledge, on the part of both Government and people, that he was the uncompromising advocate of States rights, in the broad Southern understanding of that term, and that, as he wrote to Mr. Bostick in the well-known letter of May 14th, 1858, the honor and safety of the Southern people, their respect for their ancestors, and their regard for their posterity would require them to "meet, at whatever sacrifice," any issue in which the maintenance of those rights might be involved.* The resolutions introduced by him into the Senate of the United States in February or March, 1860, and in which his political creed on the vexed question of State sovereignty was set forth, did no more than place permanently upon record, the familiar and oft defended doctrines and principles of his whole public life. He was therefore as well known

* See McCluskey's Pol. Text Book, 747.

to be a secessionist at Charleston, in 1860, when General Butler voted fifty times to make him a candidate for the Presidency, as he now is, at Fortress Monroe, where General Butler would gibbet him, without trial, to-day, for the inconceivable crime of secession. Of his entire and honorable freedom from every imputation that could justly make a gentleman ashamed—unless the wickedness, incomprehensible to General Butler, of risking his life and fortune in defence of his most cherished convictions, be supposed to belong to that class—there can be no evidence more conclusive than the attempts which have been made under the auspices of the high officials of the Federal Government, to bring his name and person into unjust contempt, and to attract to him, by false and infamous charges, the vindictive hatred of the populace.

The reader will recall the wretched and indecent fabrications transmitted by the Associated Press, from Washington, under the inspiration of Mr. Secretary Stanton, at the time of the capture of Mr. Davis, whereby the foolish and credulous were instructed that "Jeff." was making his way to the Mississippi, with a wagon-load of gold which he had seized as his private plunder, and that when taken prisoner he was disguised "in his wife's crinoline," and pretended to be a woman. Of course, the authors of so vulgar and paltry a defamation well

knew that it would impose on no one who understood the character of Mr. Davis, or had observed his public or private career, and that it would turn to nothing in the course of time, along with the thousand other official slanders which had hissed and died during the war. But they knew, equally well, that it would tend to hinder, for a while, among the masses of the people, that respectful sympathy which spontaneously opens itself to the misfortunes of a brave and fallen foe, and that it would contribute its share towards preparing them for the wholly un-American system of persecution which the parties in question had already devised for the torment of their victim.

And here, it may properly be observed, that there was one thing more than any other and perhaps than all others put together, in which the Cabinet organized by Mr. Lincoln displayed especial and remarkable sagacity. Indeed, in summing up their career as an administration, we might perhaps be justified in saying that it was at the foundation of their whole success, and stood them, throughout, instead of those high qualities of statesmanship, which such a crisis as the Confederate War would have developed in any nation less devoid of really great men than the Northern section of the United States. We refer to that perfect comprehension of the passions, prejudices, susceptibilities, vices, virtues,

knowledge and ignorance of the people upon whom they had to practice. They knew every quiver of the popular pulse, and what it signified. They could weigh out, to a grain, the small quantity of truth to which the public appetite was equal, and they perfectly understood and measured the preternatural extent to which the popular digestion could assimilate falsehood. They were masters of every artifice that could mystify or mislead, and of every trick that could excite hope, or confidence, or rage. They knew every common-place and claptrap that would affect the popular imagination or temper, as familiarly and as accurately as a stage manager is acquainted with the oldest of his theatrical properties. Understanding their part thus well, they played to it, with wonderful tact and effect. They filled their armies, established their financial system, controlled the press and silenced opposition by the same universal system of ingenious and bold imposture. I have before me an editorial article of Mr. Raymond, of the *New York Times*, in which he testifies that on the night after the battle of Bull Run, he prepared an accurate and candid statement of the federal disaster, and left it at the office of the *Telegraph*, to be transmitted to the journal which he conducted, but that the censor of the War Department, to his surprise and without his knowledge, caused his report to be suppressed,

and forwarded in its place the well-known telegram, in which the triumph of the federal arms, at all points, was announced in startling capitals to the delighted North. The equally notorious despatch of Mr. Stanton to Governor Curtin, after the battle of Fredericksburg, is but one out of a thousand evidences that the Carnot—as Mr. Seward called him—of the Lincoln Cabinet, was as notable an adept as his predecessor, in that ancient art, which was practiced with less impunity in the days of Ananias and Sapphira.

It was not to be expected that the War Department of the United States, thus taught by long success the value of judicious falsehood, should content itself with seeking merely to bring into contempt the head of the fallen Confederate Government. The war, in itself so violently antagonistic to the whole spirit and principles of the Constitution of the United States, could not, of course, be conducted without unconstitutional means and appliances. Among the most iniquitous of the contrivances resorted to was the anomalous, inquisitorial tribunal, called the Bureau of Military Justice. A few years ago no man would have dared to suggest such an engine of persecution to the most unscrupulous of political organizations in this country. If established, it would have collapsed in a week, under the scorn and indignation of a people yet uneducated by phil-

anthropy in violence and usurpation. Nevertheless, at the close of the war, it exercised almost unlimited power for evil. It was the centre of all the schemes of hidden wickedness and mischief which consumed so many millions of secret service money and raised up and debauched such an army of spies and informers throughout the land. It had grown to monopolize the getting up of persecutions, the organization of military commissions, the fabrication of evidence and the subornation of witnesses. Guided by the constitutional doctrines of Solicitor Whiting, the legal and military ethics of Dr. Lieber, and the systematized and ingenious malignity and invention of Judge Advocate General Holt, it could only have been surpassed, had Jeffreys, Vidocq and Haynau been revived to sit in judgment together. Had its plans not been thwarted, by the interposition of President Johnson, when the Supreme Court, under the most disreputable political influences, postponed, for a whole year, the promulgation of its opinion upon the constitutionality of Military Commissions, it would have opened a general campaign of judicial murder, beside which the Bloody Assizes of King James' Chief Justice would have lost their hitherto pre-eminent infamy. Under the inspiration of this Bureau, with the sympathetic assistance of Mr. Secretary Stanton, the well known proclamation was issued, in which Mr. Davis was charged with having

been accessory to the assassination of President Lincoln. It was a painful feature of that abominable outrage, that the confidence of President Johnson should have been abused by his official advisers to the extent of inducing him, in the first moment of his accession, to put his name to such a paper. To consider even for a moment, here, whether the parties by whom the calumny was made to take an official shape had any grounds for suspecting it to be true, which the bitterest honorable enemy of Mr. Davis would not have scorned to examine, would be an insult to our readers, not less than an indignity to the gallant gentleman against whose life and honor the poisoned shaft was aimed. It is safe to say that not one of the conspirators at the War Department ever harbored, for an instant, a sincere belief in the truth of the charge, either before or after it was made. If it had been honestly started under the passionate influences of the troubled hour in which it saw the light, it would have been manfully disavowed when the excitement was over, and especially after the disgraceful and utter failure of the attempt to maintain it, with other injurious accusations, before the military inquisitions which decreed the murder of Mrs. Surratt and Captain Wirz. But it had done its work in filling the minds of the ignorant with prejudice and stimulating the hatred and fanaticism of party, and to have admitted its

falsehood would have been to create a just reaction in favor of the victim. It was therefore allowed to stand without qualification as it was uttered, until the publication of the confidential correspondence between Mr. Holt and his agent Conover, disclosed not merely the perjury which had been suborned, but the deliberate and disgusting circumstances of the purchase. Then, for the first time, the head of the Bureau of Military Justice found himself forced into an attitude of defence, and was compelled to vindicate his integrity in the newspapers by a weak attempt to shift the blame upon the unsuspecting credulousness of his nature. It is now probably too late for him to escape the retributive justice of public and historical opinion, by pretending to punish the perjury-broker, whose hirelings he paid and used. Posterity will contemplate these incidents and others like them in the history of the war with inexpressible astonishment, that the gigantic hopes and wonderful resources of such a nation as this should have been entrusted, in the vital moment of its destiny, to minds so little and souls so mean. Nor will they, we are sorry to believe, forget that for rulers like these and for their doings, the responsibility, under a Republican form of Government, is upon the people who endure such rule. The impartial times to come will hardly understand how a nation, which not only permitted, but encouraged its

government to declare medicines and surgical instruments contraband of war, and to destroy by fire and sword the habitations and food of non-combatants, as well as the fruits of the earth and the implements of tillage, should afterwards have clamored for the blood of captive enemies, because they did not feed their prisoners out of their own starvation and heal them in their succorless hospitals. And when a final and accurate development shall have been made of the facts connected with the exchange of prisoners between the belligerents, and it shall have been demonstrated, as even now it is perfectly understood, that all the nameless horrors which are recorded of the prison-houses upon both sides, were the result of a deliberate and inexorable policy of non-exchange on the part of the United States, founded on an equally deliberate calculation of their ability to furnish a greater mass of humanity than the Confederacy could afford, for starvation and the shambles, men will wonder how it was that a people, passing for civilized and Christian, should have consigned Jefferson Davis to a cell, while they tolerated Edwin M. Stanton as a Cabinet minister.

I have referred to these apparently extraneous matters, for the purpose of showing, upon what foundations the prodigal slanders were rested, by which the American people were induced to acquiesce in what we have already described as the

un-American system of persecution to which Mr. Davis has been surrendered. One by one they have been demolished or tacitly abandoned, and it is now conceded upon all sides, that the only ground upon which the late President of the Confederate States has been or can be further restrained of his liberty, under any color of right, is the fact of his having been engaged in levying war against the United States. The act which these latter words describe is treason within the language of the 3d section of 3d article of the Federal Constitution, and upon the applicability of that section to the case of Mr. Davis, depends, of course, the right to hold and try him for the crime which it defines. But before proceeding to the few observations upon that point, to which our space and the nature of this article confines us, we cannot avoid renewing the inquiry, why is it that Mr. Davis has been singled out for imputed treason, from the millions whom the Supreme Court of the United States has solemnly declared to be as guilty as he. "All persons," says Mr. Justice Grier, in delivering the opinion of that tribunal, in the Prize cases,* "residing within this territory, whose property may be used to increase the revenues of the hostile power, are liable to be treated as enemies, though not foreigners. They have cast off their allegiance and made war on the Govern-

*2 Black, 674.

ment and are none the less enemies because they are traitors." Lawyers and publicists will of course judge for themselves in regard to the soundness of the doctrine thus announced, but it conveys, at all events, the deliberate judgment of the highest judicial authority under the Constitution. How is it, then, that one man out of all these millions of "traitors" and "enemies" is sought to be made their scape-goat? Nay, the Supreme Court have gone further than the language we have quoted. They have determined in the same cases, by the mouth of the same judge,* that the people of the South "in organizing this rebellion," "*acted as States*, (*sic*) claiming to be sovereign over all persons and property within their respective limits, and asserting a right to absolve their citizens from their allegiance to the Federal Government. Several of these States," adds Judge Grier, "have combined to form a new Confederacy, claiming to be acknowledged by the world as a sovereign State." How is it, then, that Mr. Davis alone is to be held as the representative for punishment, not only of the millions of individual men by whom "the rebellion" was conducted, but also of the States whose corporate capacity and action the Supreme Court thus recognizes, and of the Confederacy, to which these States entrusted, as their representative, the bel-

* 2 Black, 763.

ligerent powers and resources of the sovereignty which they respectively asserted? It is simply impossible that any reasonable answer can be given to these inquiries. That Mr. Davis had anything more to do with originating the Southern movement than hundreds of other prominent and able men, cannot be asserted with any respect for the truth. No Southern member of the Senate in 1861 was more anxious and ready than he for a compromise and pacific solution of the questions which were inflaming the public mind. No man retired from the Senate with more unfeigned and sorrowful reluctance, or left behind him a more respectful appreciation of his honesty, sincerity, dignity and manhood. His valedictory moistened the eyes of those who were most hostile to his political movements and opinions, and produced a sensation which no man, who witnessed the scene, will ever forget. He was elevated to the Presidential chair of the new-formed Confederacy, not as the representative of extreme opinions or bitter feelings, but because of the respect in which his consistency, his honor, his single-heartedness, his courage and ability were held by the whole Southern people. With what perplexities and trials he had to struggle, yet with what earnestness and success he managed, above all things, to prevent the action of his government and the conduct of its armies from being controlled by the vindictive rancor which

the circumstances rendered so natural and so difficult to restrain, all who knew anything of the internal struggles of the Confederacy can testify. The same history which canonizes the successful determination of Lamartine, at the Hotel de Ville, to prevent the rising republic of 1848 from lifting the red flag anew, which had been drenched in the blood of the people, will place side by side with it the moral heroism of Jefferson Davis, in forbidding the black flag to be unfurled by any of the soldiers of the Confederate States against the enemies who were menacing their homes, institutions and freedom.

Nor was it alone in the belligerent relations of the Confederacy that Mr. Davis was the representative of the spirit of moderation. In a contest, in which everything (and especially upon the weaker side) depended upon executive energy, concentration and promptness, he shrank from grasping a single power which was not confided to him by the Constitution. While the Federal Government of the United States, looking only to success, and regardless of the means by which it might be assured, went trampling to the right and left, over every Constitutional guaranty, over individual liberty and State authority alike, Mr. Davis persistently confined himself within the limits constitutionally assigned to him, determined, whatever might betide, that the Confederacy should at least not suffer at his hands the evils of

executive usurpation. There are those among the best friends of Mr Davis, who believe, with sadness, that in this he was perhaps more nice than wise, and that the circumstances would have justified him in temporarily opposing to the vigor of the despotism into which the Government of the United States had been converted by Mr. Lincoln, a corresponding vigor, purchased at the same cost to the Southern people. This, of course, resolves itself into a question which we shall not discuss, between regarding Mr. Davis as the chief of a mere revolution, or as the head of an organized and constitutional government.

There is another particular, too, in which the administration of Mr. Davis has been exposed to the censure of both friends and foes, among his own constituents, which seems to render doubly heinous his selection as a victim from among the whole people whom he served. We refer to that peculiar gentleness and kindness of heart, which made it impossible for him to deal, in the spirit of his otherwise just and resolute character, with the thousand cases of individual and official delinquency, defect or misconduct which required his action. How much, in such a contest as the Confederate War, depends upon the inflexible maintenance of discipline and the relentless enforcement of official obligation, in every branch of the public service, civil as well as military, the experience of both parties to the strug-

gle has sufficiently demonstrated. Whether they are in the right or not, who maintain that the sternness of Mr. Davis was not equal to the demands of his position in that regard, it is certainly true, that the instincts of his nature were in constant struggle with the harsher requirements of duty, and that the influence of his personal kindness was felt, not only among the soldiers and people of the Confederacy, but whenever he was able to mitigate, as to its enemies, the dread severity of war.

Except, then, that he was the official chief and representative of the Confederate Government and people; that by his ability, statesmanship and moderation, and the admirable official papers which came from his hand, he at once gave to his cause a position of honor and respect before the world and its rulers, and elevated the American name among all the nations; that his constancy and patriotism shared in every sacrifice and animated every effort of the struggle; that his dignity and courage gave consolation even to despair, and have ennobled defeat and captivity—except in these, there is no reason why he should not breathe the air to-day, as much a freeman as any other man who lifted the Confederate flag or fought beneath it. It were a sad commentary, at the best, on civilization and Christianity, and especially upon the vaunted influence of political liberty and Republican institutions, that a

war of political opinion—a war not waged for the subversion of society or government, but in vindication, upon both sides, of principles which they respectively assumed to be the basis of the constitutional system that had united them so long—should not end upon the battle-field, but should lead the vanquished to the dungeon and the scaffold. To have settled by brute force a question of constitutional right and self-government would seem reproach enough, in itself, to the citizens of a Republic which was founded on consent, and whose very origin made sacred and indefeasible the right of mankind to abrogate old governments and set up new. But that the victors in such a strife, not content with accepting their own superiority in numbers and material resources as conclusive upon a matter of reason and right, should select from the millions of their fellow-citizens who have laid down their arms, the most conspicuous and honored of their public servants, to atone by his personal sufferings for the sinful opinions of his people, would seem like closing the volume of human progress, and dispelling forever the dreams of the enthusiasts who believe that freedom and self-government improve and enlighten men. With what humiliation do we turn from such a picture to the noble spectacle of the Provisional Government of the French Republic of 1848, on the immortal occasion to which we

have alluded. What a lesson in the grand words of Lamartine, when he proclaimed to his people in the first flush of their triumph, that it became them to make it "a victory and not a vengeance!" What an example in the abolition of the death-penalty for political offences, as the first act of a government yet struggling with the infuriated passions of those who had created it, upon the arena still slippery with their own and their brothers' blood!

But assuming that all these teachings and examples, and all the better instincts of men and nations are to be as naught, and that the South is to suffer, in the person of Mr. Davis, for the crime of its treason—if treason it were—let us consider for a moment how such a determination gets rid of the difficulty, which Mr. Burke found so insurmountable, of framing an indictment against a people. It may be premised, we suppose, without contradiction, that the idea of settling the question of the right of secession, by a judicial decision in the premises, is a simple and empty pretext. No one imagines that the Supreme Court would dare to pronounce in favor of that right, if the opinion of every judge on the bench was conscientiously and deliberately upon that side. The people of the North would not tolerate such a decision, nor abide by it if it were given, for, as we have said, the question is claimed, upon all hands, to have been settled forever by the result of

the war. Nay, the Supreme Court itself, in 1862, in the Prize cases,* after using the language which we have quoted above, as to the assumption of the seceding States to absolve their citizens from allegiance to the Federal Government and form a new Confederacy, declares in express terms that "their right to do so is now being decided by wager of battle." The wager has long since been won, and the Supreme Court, with the rest of the winners, has possession of the bloody stakes. To imagine that the judges of that tribunal could now hold otherwise than that the "right" in dispute had been "decided," would be sheer fatuity. The question is no longer open. The conclusion is already foregone. The trial, conviction and execution of every surviving soldier of the Confederate armies would not strengthen it a jot or a tittle. Their universal acquittal, with Mr. Davis at their head, would not shake it, for an instant, in the popular mind and determination of the North. To moot the question before the courts is therefore but to enact a judicial farce—none the less a farce because death is hid under the motley. Still, if the form of a hearing is to be gone through, the form of a defence is presupposed as part of the drama, and it becomes those who think that bayonets are not pure reason, to suggest what reason they have to the contrary.

* 2 Black, 673.

The Supreme Court, as we have shown, has settled the question of both fact and law, that the Southern States "*acted as States*" in "organizing the rebellion." This was not merely the recital of a historical incident by the Court, but was absolutely necessary as an element in the maintenance of the doctrine which the Prize cases established. It was contended by the counsel of some of the claimants, citizens of Virginia, that they were not alleged or proven to be "traitors:" that insurrection was the crime of individuals and that the relation of citizens to the Government of the United States was purely an individual one; that the ordinances of secession, being unconstitutional and invalid, could not sever the allegiance of the citizen from the United States, or make him an enemy, and expose his property to capture and confiscation, if he was not, by his own individual act, in rebellion or hostility. There was but one possible escape, in the interest of the Government, from this argument, and that was, to declare that the States went out "as States," in their corporate capacity, and that such State action, of itself, and without their personal participation, made every man, woman and child within the State limits an "enemy," in law, whether friend or enemy in fact. How a legal "nullity" could work such a legal result, is among the unexplained mysteries of belligerent jurisprudence—but still it was so de-

cided, and the fact, legal and actual, that the States corporately, and not the individuals who composed them, "organized the rebellion," and formed the new Confederacy, was not only admitted, but set up, affirmatively, by the counsel of the United States, and by the court itself, as part of the case of this Government. Carried honestly out to its legitimate consequences, under the law of nations, this decision disposes of the whole "treason" pretence. If an act of war, committed by a State, makes its citizens enemies, *ipso facto*, without reference to any conduct of their own, it must follow, of logical necessity, that all belligerent acts, done by the citizen, are the acts of the State and not of the individual, and that they entail on the latter only the responsibility which attaches to enemies in arms, *flagrante bello*, and ceases when the war is over. They are, in the language of Burke, "offences of war," which are "obliterated by peace."

But, be this as it may, it is, at all events, impossible to dispute one logical result of the decision in question, viz.: that if State action and authority can exonerate the individual citizen who has obeyed them, from the crime of treason to the United States in the act of such obedience, neither Mr. Davis nor any other Southern citizen or soldier can lawfully be charged with that offence. To those who recognize the broad Southern doctrine of the

right of secession, as expounded and defended by Dr. Bledsoe in a remarkable work, entitled, "Is Davis a Traitor?" the case, of course, presents no difficulty in this aspect. The exercise of a right cannot involve a crime, and upon that theory the several State ordinances dissolved, at once, the relation and responsibility of the citizen to the general Government. Under the modified doctrine, maintained with so much ability by Mr. Bayard, of Delaware, the case is equally clear—for assuming, with him, the right of any of the States to withdraw from the constitutional compact, as sovereigns, whenever in their judgment its terms are infringed, coupled with the equal right of the other States to make war on those seceding, if they deem the secession to be causeless—it is still a question of war between sovereigns, involving belligerent rights and their consequences, but merging all responsibility of the individual citizen on either side. Nor is it easy to perceive how a different practical result can be arrived at under the doctrine of Mr. Buchanan's message to the Congress of December, 1860. That message, although since denounced with unexampled bitterness, undoubtedly represented at the time the opinion of nearly all the leaders of the Democratic party North, who were not secessionists avowed, and on the faith of it they pledged themselves, as every one remembers, to interpose their

bodies, in the most heroic manner, between the coercionists on their own soil and their cherished brethren of the South. That they apostatized from their convictions and falsified their pledges as never a great party was known to do before; that they not only did not attempt to resist the advancing armies of abolitionism and coercion, but applied, in crowds, at once, for captaincies, colonelcies, major-generalships and particularly paymasterships, as they had been wont to rush for places in the post-offices and the custom-houses, in the bygone and beloved days of "rotation" and "the spoils," is well known to all who are acquainted with the annals of political cowardice, bad faith and prostitution. But, as we have said, before the Dickinsons, the Bancrofts, the Butlers, and such like had been taught the inestimable value (in currency) of "the life of the nation," they agreed with Mr. Buchanan, that even if there was no constitutional right to secede, there was no constitutional right to coerce a State seceding. This being admitted, and the States having resisted, "as States," the exercise of an unconstitutional power, it would seem necessarily to follow, that their authority in such resistance was a legal protection and security to their citizens—unless it can be shown that a State can repel an armed assault upon its rights, without the aid of its people, and that they commit a crime in aiding it to

resist a forcible breach of the Constitution. It was upon this, among other grounds, that the Legislature of Maryland, in 1861, asserted the right of the State, if she saw fit, to prevent the passage of Federal troops across her soil, on their march to coerce and invade the South. The right to coerce being denied, under the Constitution, it was assumed to follow, that the assemblage and movement of troops for the purpose of coercion was a palpable violation of the Constitution, in furtherance of which the Federal Government could not claim the right of transit, which belonged to it only in aid and pursuance of its constitutional functions and powers.

And this leads to a view of the immediate question under discussion, which we have never seen presented, although it appears to be obvious, and would certainly seem to dispose of the charge of treason, so far as concerns Mr. Davis and all others in like case with him. It has the great advantage, too, of being connected, in no way, with the exciting questions of secession and coercion, and of involving no decision as to the right or wrong of the action which the seceding States deemed themselves justified in adopting.

Whatever may be said as to State rights and State sovereignty, in the Southern or Democratic sense of those terms, no one entitled to be heard will deny, we presume, that the States are, in some

respects, sovereign, and have rights, of some sort, attached to their sovereignty. That the rights they thus possess are as incapable of violation, without a violation of the Constitution, and as fully entitled to protection and vindication, as the rights delegated to the general Government, is of course equally indisputable. Let it be assumed, for the sake of the argument, that some clear and conceded constitutional right of a State, or of all the States, is invaded or about to be invaded by the Federal power —that some unquestionable attribute of State sovereignty is about to be assailed, in a manner which will be incontestably in derogation of the Constitution. In many of such cases, a judicial solution of the difficulty may be practicable. There are others, of course—and especially when the scheme of usurpation is instant and forcible—in which delay puts an end to the possibility of defence or remedy. Assume, for instance, that a usurping President, under the direction of a usurping Congress or despising the remonstrances of a faithful one, is about to overthrow a State Government, by force of arms, and appropriate its territory to his own or the Federal uses, in acknowledged violation and contempt of the fundamental law. Let it be a case in which liberty is sought to be crushed as well as right. Can there be any dispute as to the duty and right of the State Government, to resist such an aggression, by force if

it can—to marshal its troops, and defend its soil and the freedom of its people, by all the means within its reach? Can the right and duty of the sister States to join in such resistance be denied? And by right and duty, we mean, not in a revolutionary nor a merely moral sense, but under the Constitution, in order to resist its overthrow and maintain its inviolability? Surely none but the most besotted of consolidationists can say nay to these inquiries. In the twenty-eighth number of the *Federalist*, General Hamilton himself lays it down as "an axiom in our political system, that the State Governments, within all possible contingencies, afford complete security against invasions of the public liberty by the national authority. . . . Possessing all the organs of civil power and the confidence of the people, they can at once adopt a regular plan of opposition, in which they can combine all the resources of the community. They can readily communicate with each other, in the different States, and unite their common forces for the protection of their common liberty." Mr. Madison expands the same idea over the whole of the forty-sixth number, in which he endeavors to allay all apprehensions of danger from the Federal power, by showing that "its schemes of usurpation will be readily defeated by the State Governments, which will be supported by the people." Indeed, he denounces with indigna-

tion those who "insult the free and gallant citizens of America" by the suspicion that they would hesitate about thus defending their liberties. Assuming, then, that there are cases, few or many, in which the Federal Government may trench, with violence, upon the acknowledged rights and sovereignty of the States, and that the States have the right to resist its aggressions by force—which they must have, unless we are slaves—who is to determine when and whether such an occasion has arisen? Not the Federal Government, of course, for that would reduce the right of resistance to an absurdity. The Supreme Court, in the well-known case of Martin *vs.* Mott,* involving the exercise of the military powers of the Federal Executive in certain contingencies of invasion or insurrection, determined, that from the nature of the powers and the objects to be accomplished, the officer entrusted with the authority is the sole and exclusive judge whether the exigency has arisen. In the parallel case of Luther *vs.* Borden† the court has added "that the ordinary proceedings in courts of justice would be utterly unfit for the crisis." By inevitable parity of reason, the States, in the cases I have assumed, and in a like crisis, must be the judges of their exigency also, and so being, the exercise of their judgment and their commands to their citizens, in that exercise,

* 12 Wheaton, 19. † 7 How. 44.

must be a shield to the citizens who obey. In the case of Mitchell *vs.* Harmony * the Supreme Court decided, that where a superior has a lawful discretion and exercises it, the inferior whom he commands is justified in his obedience, and cannot be held responsible, though a wrong to third parties may result from it, and though the superior "may have abused his power, or acted through improper motives." This doctrine, which is founded on reason as well as authority, seems to place the conclusion above controversy, that where one of the States of the Union, in the exercise of its undoubted right to resist a Federal usurpation, sees fit to determine that a case for such resistance has arisen, the citizen who acts under the State authority, and is punishable under its laws if he refuses so to act, is not responsible to the Federal tribunals, though the State may have exercised its discretion unwisely, or prematurely, or even wrongfully, in the premises. Whether the State has "abused its power, or acted through improper motives," is a matter for the State and the Union to settle, but the citizen is shielded, let it be settled as it may.

I have suggested these points (from among the many which present themselves) with the necessary brevity, and rather for the mere sake of truth and right, than from any hope that such things will be

* 13 Howard, 137.

heeded. When a judge of the highest tribunal of the United States, like Mr. Justice Grier, in delivering its opinion upon the gravest case ever presented to its consideration, is so lost to the decencies of his position as to sneer at an objection to Executive action, on the ground of its unconstitutionality, and to print the word "*unconstitutional!!!*" in italics and with three notes of admiration, in order to make his contempt typographically conspicuous,* it is, we fear, but wasted time, to appeal to any principle of the Constitution, however solemn, which stands between fanaticism or vindictiveness and the victim for whom they rage.

But were Mr. Davis ever so much the "traitor" that the Holts and Butlers call him, he would still have some rights—the right to a speedy and impartial trial under the provisions of the Constitution which he is accused of having violated—the right to be bailed, if the Government declines to try him. Need we quote anew the language of the fifth and sixth Amendments to the Constitution, unhappily too well remembered through the land, from the contempt with which the usurpations of the war went trampling daily over them? When the sixth article declares that in "all criminal prosecutions, the accused shall enjoy the right to a speedy and impartial trial," does it mean that he shall be mocked, for

* 2 Black, 663.

eighteen weary months of insolent and harassing outrage and delay, by every subterfuge that official prevarication can devise or party clamor can encourage? Does it mean that he shall be bandied from military commissions to judges and grand juries; that Underwoods and Chandlers and Chases shall hold him prisoner at their will, and try him or not, as their caprice or malice may suggest? Does it signify that Republican Conventions shall determine upon the disposition to be made of him, and that Radical orators shall insist on his being held, that they may make a standing clap-trap of his life and his gibbet? Does it mean that the civil authorities are not to try him, because the military authorities have him in custody, and are not to deliver him from that custody on *habeas corpus*, lest they should then have to try him? Does the Constitution of the United States intend that the President shall have the power to hand the prisoner over to the civil authority—in other words, to pass him from his own military hand to his civil hand—and yet not have the power to see that the civil authority, of which he is the head, discharges its duty or releases its prisoner? Time was, when to ask these questions were an insult. It is, now, perhaps only to provoke an official smile at the weakness which still talks about the Constitution!

We read in the very highest English authority

upon criminal law and practice* that "The principal ground for bailing, upon *habeas corpus*, and indeed the evil the writ was intended to remedy, is the neglect of the accuser to prosecute in due time. *Even in case of high treason, where the party has been committed upon the warrant of the Secretary of State, after a year has elapsed without his prosecution, the court will discharge him, upon adequate security being given for his appearance.*" As early as the close of the Revolution of 1776, Mr. Henry Laurens, then a prisoner in the Tower, was able to satisfy one of the British peers who visited him, that the writ of *habeas corpus* was already more speedily and thoroughly remedial in the colonies than in the mother country. And yet there are those who think that we have improved on the institutions of that generation and the wisdom and patriotism of the men who made them.

There is but one more topic which the imprisonment of Mr. Davis suggests, and upon that I touch with the reluctance which comes from utter disgust and shame. We refer, of course, to the personal indignities which have attended it—indignities at which the gorge of every decent, dispassionate man in the wide world must rise, and the obloquy of which must rest more heavily forever on the nation which has tolerated them, than even on the ruffians in office, who had the baseness to direct their perpe-

*1 Chitty's Criminal Law, 131.

tration. There is something in the very idea of an old and honored citizen—once a Cabinet officer of the nation, and unsurpassed in the ability with which his duties were discharged—a man of eloquence and thought—a Senator and statesman—a soldier whose body is scarred with honorable wounds suffered in the service of his country—a pure and upright public servant, whose lips were never sullied by falsehood and whose hands are clean of corruption—there is something, I say, in the mere idea that such a man—wasted by disease and physically broken by disaster—should be manacled and fettered, with barbarous violence, in a fortress of this Republic—which must call the blush to every American cheek that conscious disgrace can redden. But even shame must give way to indignation and scorn, when it is remembered that the infamy was perpetrated by the order of the very department over which the victim once presided with so much usefulness and honor; that it was commanded in utter wantonness, merely to lacerate and sting a sensitive, proud spirit, and that a general of the armies of the Union was the gratified instrument of its infliction. It recalls the last days of the Roman Republic, when the tongue of a Cicero, captive and murdered, was pierced by the spiteful bodkin of a strumpet. And even this outrage of the manacles apart—the story of daily and nightly torments, and

hourly petty persecutions—of needless hardships and discomforts, and gratuitous insults—has something in it which makes belief almost impossible, without a contempt for our race. Then, too, the mean *espionage*, and paltry overlooking—the swarm of impertinent men and women let loose by his jailor on his feeble walks and domestic privacy—the sick man driven to his cell by the insufferable peering of rude and vulgar eyes—what a spectacle these things present of the magnanimity of a great nation! And when at last the prisoner is allowed the common decencies of a country jail and is permitted to share the society of his wife and children, what a clamor over the land it causes—some cursing the indulgence—some magnifying the generosity of the Government! The Associated Press anticipates the wishes of the War Department and the taste of its constituents, by exaggerating the "luxuries" of "Jeff.'s" new and commodious quarters, and by telling how "grateful" he is for the "clemency" which has been extended him. The readers of its despatches—ninety out of an hundred of them—are quite sure that it is indeed a case for gratitude, and that the "traitor" ought to bless his stars that, after having committed the awful crime of entertaining and fighting for the constitutional opinions of himself and his fathers, he was not drawn and quartered for it, in Faneuil Hall, after morning prayer, on Lord's day following his arrest.

LIBRARY OF CONGRESS
00022782101